

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 06.12.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.952 of 2017

S.Rajendran

... Petitioner

Vs.

1. The District Collector
Madurai District,
Madurai.

2. The Revenue Divisional Officer
Revenue Divisional Office
Madurai District,
Madurai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to refer the respondent Award No.1 of 2015, dated 30.01.2015 under Section 18 of the Land Acquisition Act to the competent Sub Court, Madurai on the petitioner's representation dated 11.10.2013 and 16.12.2015 in accordance with law.

For Petitioners : Mr.J.John

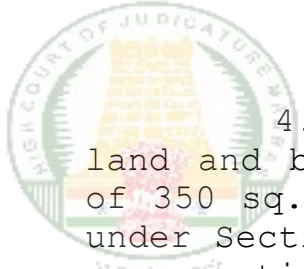
For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner, seeking to direct the first respondent to refer the respondent Award No.1 of 2015, dated 30.01.2015 under Section 18 of the Land Acquisition Act to the competent Sub Court, Madurai, based on his representation dated 11.10.2013 and 16.12.2015.

2. By consent, the writ petition is taken up for final disposal.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.



4. According to the petitioner, he is the owner of the land and building in T.S.No.123/2, 270/18 measuring to an extent of 350 sq.ft. The first respondent has issued 15(1) Notification under Section 34 of Tamil Nadu National Highways Act and also paid compensation to the petitioner. The grievance of the petitioner is that the compensation given by the respondents for acquisition of his land for the purpose of extending Highways over bridge, is very low, the petitioner filed his representation before the first respondent, for enhancement of compensation. As there is inaction on the part of the respondents, the petitioner is before this Court with the above prayer.

5. The learned Counsel for the petitioner would submit that it would suffice, if the representation dated 16.12.2015 submitted by the petitioner to the respondents, is directed to be considered by the first respondent, within the time stipulated by this Court.

6. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioners, this Court directs the first respondent to consider the representation dated 16.12.2015 filed by the petitioner, for payment of enhanced compensation and pass necessary orders thereon, if the same is not referred before the competent court, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector
Madurai District, Madurai.
2. The Revenue Divisional Officer
Revenue Divisional Office
Madurai District, Madurai.

+ 1 cc TO Mr.J.John , Advocate in SR No. 91263
+ 1 cc TO The Special Government Pleader in SR No. 91809

rm

AE/MR KKR/SAR1/19.12.2017/2P/5C