



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.8036 of 2011

Rakkammal

... Petitioner

Vs.

1. State of Tamil Nadu rep. by its
Secretary to Government,
Department of Land Administration,
Fort St. George, Chennai - 9.
2. Revenue Divisional Officer,
Ramnad.
3. The Special Tahsildar,
Land Acquisition, Ramnad.
4. Tamil Nadu Housing Board rep. by its
Executive Engineer & Administrative Officer,
Ramnad Unit Office,
Ramanathapuram District.
[Fourth respondent is impleaded vide order
dated 28.08.2017 made in W.M.P(MD)No.
10119 of 2016]

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to send the matter for reference under Section 18 of the Act for the Lands Acquired in Survey No.43/3 of Pattinakattan Village, Ramanathapuram measuring 0.55.5 cents situated in Pattinamkathan Village, Ramnad Taluk and District as per the Award No.1/97-98 dated 03.04.1997 to the Sub-Court, Ramnad.

For Petitioner
For Respondents 1 to 3

: Mr.A.S.Mujibur Rahman
: Mr.J.Gunaseelan Muthaiah,
Government Advocate.

For Respondent No.4

: No appearance

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second respondent to send the matter for reference under Section 18 of the Land Acquisition Act for the lands acquired in Survey No.43/3 measuring 0.55.5 cents, situated in Pattinamkathan Village, Ramnad Taluk and District as per the Award No.1/97-98, dated 03.04.1997, to the Sub-Court, Ramnad.

2.The case of the petitioner is that the second respondent herein as Land Acquisition Officer has acquired the land belongs to the petitioner comprised in Survey No.43/3, measuring 0.55.5 cents, situated in Pattinamkathan Village, Ramanathapuram Taluk and District for the purpose of putting up construction of House Sites by the Tamil Nadu Housing Board and awarded compensation, without issuing any notice to the petitioner. Therefore, the petitioner made various representations to the second respondent, seeking to refer the matter under Section 18 of the Land Acquisition Act, to the Sub Court. But, no action was taken. Therefore, the petitioner is before this Court.

3.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents 1 to 3. There is no representation on behalf of the fourth respondent.

4.It is seen from the records that the petitioner enclosed the copies of the representations in the typed set of papers, but she has not produced the postal receipts for proof of service. Therefore, this Court is of the considered view that the petitioner has not approached the second respondent and the relief sought for by the petitioner cannot be granted.

5.In view of the same, this writ petition is disposed of, granting liberty to the petitioner to approach the authorities for appropriate relief. No costs.

Sd/-

Assistant Registrar (Crl Side)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Department of Land Administration,
Secretariat, Tamil Nadu,
Fort St. George, Chennai - 9.



2. The Revenue Divisional Officer,
Ramnad.

3. The Special Tahsildar,
Land Acquisition, Ramnad.

4. The Executive Engineer & Administrative Officer,
TNHB, Ramnad Unit Office,
Ramanathapuram District.

- + 1 CC TO MR.R.Janarthanan, ADVOCATE IN SR No.77586
- + 1 CC TO MR.A.S.Mujibur Rahman, ADVOCATE IN SR No.77743
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 77831

gk/smn

MK/KK/SAR-3/3P/8C/18.09.2017

ORDER MADE IN
W.P (MD) No.8036 of 2011
08.09.2017