



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.3836 of 2013

Inigo S.Fernando

... Petitioner

-vs-

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Commissioner,
Corporation of Tirunelveli,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pass suitable orders to initiate appropriate proceedings to pay adequate compensation for the acquisition of land of the petitioner to an extent of 13.82 cents in Survey No.763/2, Kulavanigarpuram Village within the Melapalayam Sub Registration Division, Palayamkottai Registration District within the time to be fixed by this Court.

For Petitioners : Mr.V.Sasikumar

For R1 : Mr.M.Alagathevan
Special Government Pleader

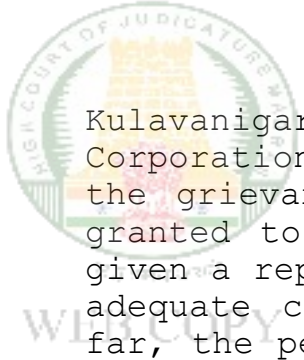
For R2 : Mr.S.Sethesh Kumar

O R D E R

This writ petition has been filed, seeking a direction to the respondents to initiate appropriate proceedings to pay adequate compensation for the acquired land of the petitioner, measuring to an extent of 13.82 cents in Survey No.763/2, Kulavanigarpuram Village, within Melapalayam Sub Registration Division, Palayamkottai Registration District.

2.Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

3.According to the petitioner, he is the owner of the land measuring to an extent of 13.82 cents in S.No.763/2,



Kulavanigarpuram Village and the same was acquired by the respondent Corporation and a road was formed across the said property. It is the grievance of the petitioner that no adequate compensation was granted to the acquired land of the petitioner and hence, he has given a representation dated 05.11.2012 to the respondents, claiming adequate compensation. Since the same has not been considered so far, the petitioner is before this Court by filing the present writ petition.

4.Considering the facts and circumstances of the case and also considering the claim made by the petitioner, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner dated 05.11.2012 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

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

Sd/-

Assistant Registrar (CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Commissioner,
Corporation of Tirunelveli,
Tirunelveli.

+One cc to Mr.S.Sasikumar, Advocate, SR.No.89256

+One cc to The Special Government Pleader, SR.No.89609

mj

RL/5C/2P/SV/MMS/SAR4/27/12/2017

W.P (MD) No.3836 of 2013