

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.9708 of 2018

Swarnambigai @ S. Ambigai

... Petitioner

vs.

The Special Thasildar (Land Acquisition),
Neighbourhood Scheme,
Salem Housing Unit,
Iyan Tirumalligai,
Salem - 636 008.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent to consider the representation dated 26.02.2018 made by the petitioner to determine her share in the compensation amount as per the present market value as the daughter and one of the legal heirs of late P.K.Soundaraja Mudaliar.

For Petitioner : M/s.M.Devendran

For Respondent : Mr.D.Raja, AGP

ORDER

Mr.D.Raja, learned Additional Government Pleader takes notice on behalf of the respondents. By consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus to direct the respondent to consider the her representation, dated 26.02.2018.

3. The case of the petitioner is that her father, late P.K.Soundararaja Mudaliar was the original owner of the property comprised in Survey No.69/2A, having an extent of 1.66.5 Hectares and he died on 03.04.1979 leaving behind the petitioner and her four brothers as his legal heirs. The respondent acquired the said land by issuance of a notification dated

10.05.2000 and an award was passed on 13.05.2013 in Award No.1/2003-2004.

4. The petitioner further stated that when she is having a share in the award, an attempt was made by her brothers to get the entire award amount. Hence, she gave a representation, dated 26.02.2018. Since no action was taken, the present Writ Petition.

5. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondent to consider the representation of the petitioner.

6. The learned counsel for the respondent submitted that the representation of the petitioner would be considered in accordance with law.

7. In the light of the above submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

The Special Thasildar (Land Acquisition),
Neighbourhood Scheme, Salem Housing Unit,
Iyan Tirumalligai, Salem - 636 008.

+1cc to M/s.M.Devendran, Advocate, S.R.No.29535
+1cc to the Government Pleader, S.R.No.30725

W.P.No.9708 of 2018

SG(CO)
CS/16/05/18