

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.6958 of 2018

S.Selladurai

...Petitioner

Vs.

1. The District Collector,
Collector Office, Salem.

2. The Special District Revenue Office (LA),
National Highway-68,
3D/8, Ram Nagar Road, Swarnapuri,
Salem-4.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 2nd respondent herein to pay compensation to the petitioner for acquisition of the land comprised in Ward AL Block 25 T.S.No.3/2, Ammapet Village, Salem Taluk & District for widening of NH-68 within an appropriate time.

For Petitioner : M/s.R.Nalliyappan

For Respondents : Mr.Akhil Akbar Ali, G.A.

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice on behalf of the respondents. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed this petition for issuance of a Writ of Mandamus to direct the 2nd respondent to pay compensation for acquisition of his land in S.No.267/1C2 in Ammapet Village, Salem Taluk & District for widening of NH-68.

3. The case of the petitioner is that he purchased a property in Survey No.267/1C2, T.S.No.3/2 at Ammapet Village, Salem District, by a sale deed dated 03.02.1999. The petitioner would further state that the 2nd respondent has acquired the said land of the petitioner for widening the National Highway No.68. But so far, they did not pay any compensation, despite the representation of the petitioner dated 12.06.2012.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the 2nd respondent to consider the representation of the petitioner.

5. The learned Government Advocate for the respondents submitted that though the petitioner is said to have given representation to the respondents, no proof is available. However, if the petitioner has any grievance, he can send his representation to the 2nd respondent and the same would be considered in accordance with law.

6. In the light of the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the 2nd respondent, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the 2nd respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks therefrom, after providing an opportunity of hearing to the necessary parties.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

pvs

To

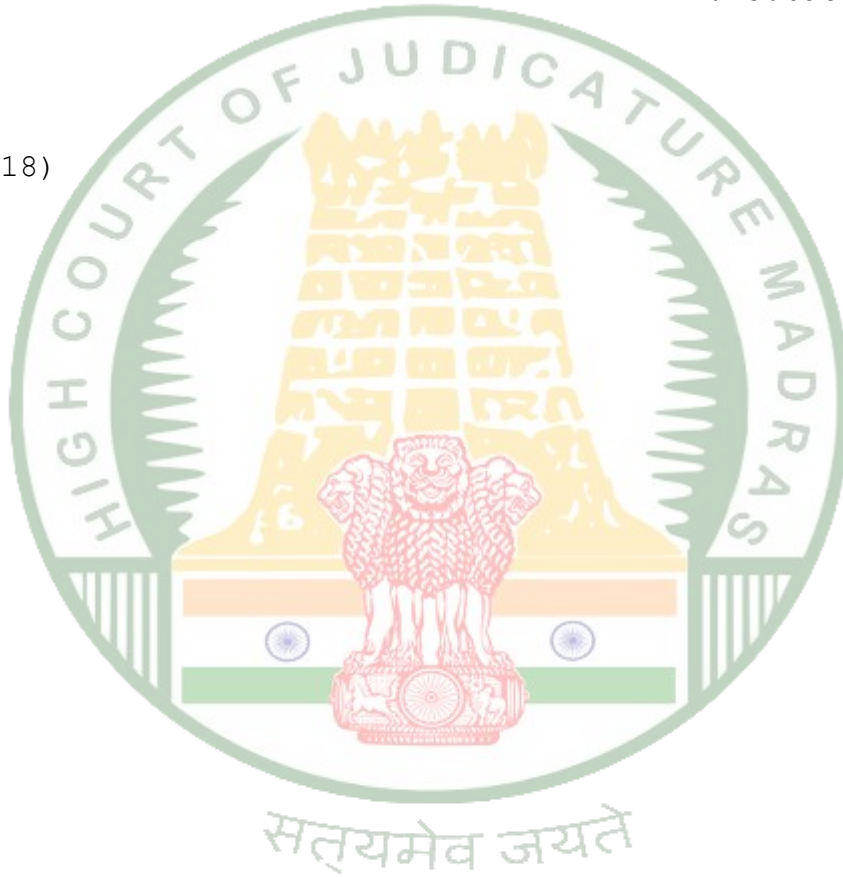
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+1 CC to M/s.R.Nalliyappan, Advocate Sr.No.22586

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RJ(CO)
KP(16/04/2018)



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