

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.16745 of 2018

Dhanaraj

..Petitioner

Vs

1. Union of India,
Rep. by the Chief Secretary
to Union Territory of Puducherry,
Government of Puducherry,
Puducherry.

2. The Revenue Office (CULAW)
cum Land Acquisition Officer,
Directorate of School Education,
Puducherry.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 07.09.2017 in accordance with the procedure established by Section 28A of Land Acquisition Act.

For Petitioner : M/s.E.Durai Raj

For Respondents : Mr.B.Nambi Selvan, AGP (P)

ORDER

Mr.B.Nambi Selvan, learned Additional Government Pleader (P) 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.

2. The petitioner has filed this petition for issuance of a writ of mandamus to direct the respondents to consider his representation dated 07.09.2017.

3. The case of the petitioner is that he is the owner of the land measuring an extent of 18 Kuzhees in R.S.No.51/2 at Pandagasozhanallur Village, which was acquired by the respondents for the purpose of establishing a Government School and an award was passed on 13.03.2009.

4. The petitioner would further state that the other land owners covered under the same notification sought reference under Section 18 of the Land Acquisition Act and the District Court, Puducherry dismissed the application. However, this Court in appeal suit in A.S.Nos.322 to 325 of 2011 has enhanced the compensation. Subsequently, the petitioner sent a representation to the respondents seeking enhancement of compensation under Section 28A of the Land Acquisition Act. Since the representation of the petitioner was not considered, he has come up with this writ petition.

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

6. The learned Additional Government Pleader (P) submitted that the representation of the petitioner would be considered in accordance with law.

7. In the light of the above submissions and also considering the relief sought for in this writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 07.09.2017 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.

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

-s/d-

Assistant Registrar(CS-IV)

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

pvs

To

1. The Chief Secretary
Union of India,
to Union Territory of Puducherry,
Government of Puducherry,
Puducherry.

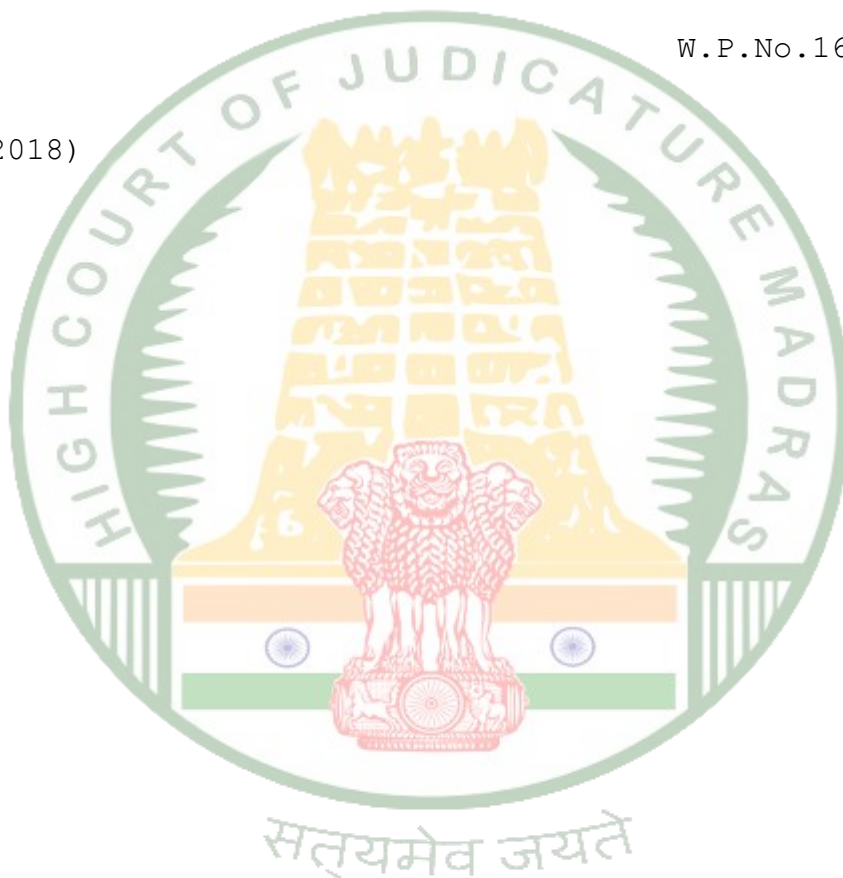
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2. The Revenue Office (CULAW)
cum Land Acquisition Officer,
Directorate of School Education,
Puducherry.

+1 CC to Mr.E. Durairaj, Advocate sr 44485.
+1 CC to Govt. Pleader sr 43896

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SP(19/07/2018)



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