

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.18028 of 2018

K.Seenivasan

...Petitioner

Vs.

1. The District Collector / Arbitrator,
Cuddalore District, Cuddalore.

2. The Land Acquisition Officer NH 45-C/
District Revenue Officer,
Collectorate, Villupuram.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 30.06.2018 within a stipulated time as this Court fixes.

For Petitioner : Mr.C.Prakasam

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

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice for 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 come up with this writ petition for issuance of a writ of mandamus to direct the first respondent to consider and pass orders on the representation of the petitioner dated 30.06.2018.

3. According to the petitioner, his land in R.S.No.239/9A1A1 in Solatharam Village & Post, Srimushnam Taluk, Cuddalore District was acquired by the second respondent for widening NH45-C road in the year 2015. The petitioner would further state that on the date of the award, the market value of the property was Rs.3,487.55/- per sq.mt., but the petitioner was awarded compensation at the rate of Rs.1309.90 per sq.mt.

4. The learned counsel for the petitioner submitted that while determining the compensation, the second respondent has not followed the first schedule of the New Act 30 of 2013 and the petitioner's representation seeking reference under Section 64 of the Act was also not considered.

5. It is further submitted that the petitioner would be satisfied, if a direction is issued to the first respondent to consider the representation of the petitioner.

6. The learned Government Advocate 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 and also considering the nature of prayer sought for in this writ petition, this Court, without going into the merits of the case, directs the first 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 six weeks from the date of receipt of the order copy.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector / Arbitrator,
Cuddalore District, Cuddalore.

2. The Land Acquisition Officer NH 45-C/
District Revenue Officer,
Collectorate, Villupuram.

+1CC TO GOVERNMENT PLEADER SR.NO. 48942

+1CC TO MR.C.PRAKASAM ADVOCATE SR.NO. 48123

WP.No.18028 of 2018

AR(CCC)
ASK(31/07/2018)