

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.19971 of 2018

J.Kalavathi

...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 a 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 14.07.2018 within a stipulated time as this Court fixes.

For Petitioner : M/s.C.Prakasam
For Respondents : 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.

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 written representation made by the petitioner on 14.07.2018.

3. The case of the petitioner is that the second respondent has acquired her land in R.S.Nos.2/7B and 3/7B, in Mazhavarayanallur Village and Post, Srimushnam Taluk, in Cuddalore District for the purpose of widening NH 45-C in the year 2015.

4. The grievance of the petitioner is that on the date of acquisition, the market value of the land was Rs.5000/- per sq.mt., whereas the second respondent has awarded compensation

at the rate of Rs.430/- per sq.mt. and the compensation was not paid as per the provisions of the Act 30 of 2013.

5. The learned counsel for the petitioner submitted that the petitioner made a representation to the first respondent to refer the matter to the competent authority to determine the compensation under Section 64 of the said Act.

6. 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.

7. The learned Additional Government Pleader submitted that the representation of the petitioner would be considered in accordance with law.

8. In the light of the submissions of the learned counsels on either side, and also taking note of the prayer sought for in the 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 orders purely on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of two months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

pvs

To

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

+1cc to Mr.C.PRAKASAM, Advocate, S.R.No.54316
+1cc to the Government Pleader, S.R.No.54058

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RSI (CO)
TR(30/08/2018)