

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.11.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.27850 of 2018

S.Jeyachandran

... Petitioner

-Versus-

The Arbitrator cum District Collector,
Tiruvallur District,
Tiruvallur.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent - Arbitrator cum District Collector, Tiruvallur District, to consider and dispose of the representation of the petitioner dated 27.08.2018 within the period to be stipulated by this court after affording an opportunity of personal hearing to the petitioner.

For Petitioner : Mr.J.Thilagaraj

For Respondent : Mr.M.Elumalai, GA

ORDER

This writ petition has been filed seeking a direction to the respondent in the form of writ of mandamus for considering the representation made by the petitioner dated 27.08.2018 for enhancement of compensation for the land acquired by the National Highways Authority and to dispose of the same after affording an opportunity of personal hearing to the petitioner.

2. The grievance of the petitioner is that the application filed by him before the respondent seeking enhanced compensation in respect of the land, which was acquired for the purpose of laying National Highways, has not so far been considered by the respondent. Hence, this writ petition.

3. Earlier notice was ordered to the respondent. Mr.M.Elumalai, learned Government Advocate, who was present in court, had taken notice on behalf of the respondent and had sought for time to get instructions. Accordingly, the writ petition was ordered to be listed today.

4. Today, when the matter came up for hearing, the learned Government Advocate, on instructions, submitted that the petitioner has been called for enquiry at 04.00 p.m. on

08.11.2018 and to submit his objection and after completing the enquiry suitable orders will be passed by the respondent for which, the learned Government Advocate prayed this court to grant six weeks' time.

5. Considering the submission made by the learned Government Advocate and the limited prayer sought for in the writ petition, this court, without going into the merits of the case, directs the petitioner to appear before the respondent for enquiry on 08.11.2018 at 04.00 p.m. and submit his objections, if any, and the respondent is directed to give an opportunity of personal hearing to the petitioner. It is further directed that on completing the enquiry, the respondent shall pass appropriate orders on the application submitted by the petitioner for enhanced compensation on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Arbitrator cum District Collector,
Tiruvallur District,
Tiruvallur.

+2ccs to Mr.J.Thilagaraj, Advocate, S.R.No.76220
+1cc to the Government Pleader, S.R.No.76424

W.P.No.27850 of 2018

rrs 12/12/2018

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