



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition(MD) No.2274 of 2018

WEB COPY

Ulaganatha Pillai @ K.U.Nathan

... Petitioner

Vs.

1.The Competent Authority cum

District Revenue Officer

(LANH) NH 47 & 47 B,

Observatory Street,

Opp., to PWD's Travellers Bungalow,

Nagercoil,

Agasteeswaram Taluk,

Kanyakumari District.

2.The Executive Officer,

Ozhuginasery Vellalar Samuthaya Aadimoola

Vinayagar Trust, Ozhuginasery,

Behind of Idartheertha Perumal Thirukovil,

Vadiveeswaram, Nagercoil,

Kottar Post, Agasteeswaram Taluk,

Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the 1st Respondent herein to consider the Petitioner Representation / objection dated 12.03.2017 and Memo dated 01.09.2017 submitted in person in view of Section 3G of National Highways Act 1956 (in respect of 2000 square meter out of total 50 Ares in Resurvey No. 37/6 Therekalputhoor village Agastheeswaram Taluk Kanyakumari District) and determine the compensation and its apportionment in accordance with law.

For Petitioner : Mr.V.Meenakshisundaram

For 1st Respondent : Mr.M.Rajarajan,
Government Advocate.For 2nd Respondent : Mr.K.Sathiya SinghORDER

This writ petition has been filed seeking direction to the first respondent to consider the objection of the petitioner dated 12.03.2017 and memo dated 01.09.2017 and determine the compensation and its apportionment in respect of 2000 square meter out of total 50 Ares in Resurvey No.37/6, Therekalputhoor Village, Agastheeswaram Taluk, Kanyakumari District.



2.The petitioner claims to be the cultivating tenant under the second respondent. Earlier, the first respondent has acquired the land belongs to the second respondent for the purpose of extension of National Highways. After acquisition proceedings, now the first respondent is conducting enquiry for awarding compensation. The petitioner being cultivating tenant under the second respondent filed objections for apportionment of compensation which is still pending with the first respondent. Hence, the petitioner has filed the present writ petition.

3.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to consider the objection of the petitioner dated 12.03.2017 while awarding compensation and pass appropriate orders, on merits and in accordance with law.

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

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The Competent Authority cum
District Revenue Officer
(LANH) NH 47 & 47 B,
Observatory Street,
Opp., to PWD's Travelers Bungalow,
Nagercoil,
Agasteeswaram Taluk,
Kanyakumari District.

+One cc to The Special Government Pleader, SR.No.46572

+One cc to Mr.K.Sathiya Singh, Advocate, SR.No.46113

+One cc to M/s.D.Nallathambi, Advocate, SR.No.46363

sms
RL/5C/2P/KK/SAR1/14/2/2018

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