



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.3587 of 2018

A.Wilson

.. Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil - 629 001.

2. The Revenue Divisional Officer,
Collectorate Complex,
Nagercoil - 629 001.

... Respondents

Petition filed under Article 226 Constitution of India to issue a writ of Mandamus directing the respondents to grant fair and just compensation for the land acquired for constructing poigai dam project at Aralvoimozhi village in Survey Number S-38/2 and directing the respondents to grant enhanced compensation with interest as per with the adjacent land owner is same Survey No.S-38/3 compensation received as per award dated 29.01.1998 in L.A.O.P.No.23/1995 by considering the petitioner's representation dated 09.12.2016.

For Petitioner	:	Mr.K.Ramanathan
For Respondents	:	Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents to grant fair and just compensation for the land acquired for constructing poigai dam project at Aralvoimozhi village in Survey No.S-38/2, by considering the petitioner's representation dated 09.12.2016.

2.According to the petitioner, his land in Survey No. S-38/2 was acquired by the respondents for the construction of Poigai dam at Aralvaimozhi. Subsequently, in the award passed by the respondent, a very meagre amount has been granted. Thereafter, some neighbouring land owners, whose lands were acquired for the very same purpose, have filed reference in LAOP No.23 of 1995 before the



Additional Sub Court, Nagercoil, in which, enhanced compensation of Rs.1,200/- per cent was awarded by the judgment dated 29.01.1998. Since the petitioner is also a similarly placed person, he has also made a representation dated 09.12.2016 to the District Collector for enhancing the award. Since no order has been passed on the representation, this writ petition has been filed.

3.Considering the fact that in a reference made by the neighbouring land owners, the reference Court has enhanced the compensation and the petitioner has also filed an application seeking similar relief, which is still pending with the first respondent, the first respondent is directed to consider the petitioner's representation dated 09.12.2016 and pass suitable orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil - 629 001.
2. The Revenue Divisional Officer,
Collectorate Complex,
Nagercoil - 629 001.

+ 1 CC TO Mr.K.RAMANATHAN, ADVOCATE IN SR No. 50004
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50935

MJ
TE/KKR/SAR-3 : 14/03/2018 : 2P/5C

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