



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2018

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.586 of 2018

and

W.M.P (MD) No.586 of 2018

Subbaiah

... Petitioner

Vs.

1. The Principal Secretary to
Industries Department,
Government of Tamil Nadu,
Fort St., George,
Chennai 600 009.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

4. The Joint Director,
Agricultural Department,
Tirunelveli District.

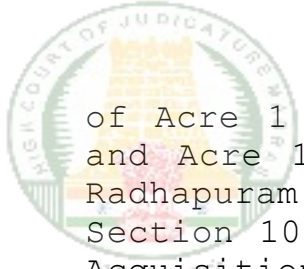
5. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents from subjecting the petitioner's agriculture property to the extent of Acre 1 Cents 69 with 3HP motor pump set in Survey No. 1953/1 and Acre 1 cents 50 1/2 in Survey No. 1951/1 at Panagudi Village Radhapuram Taluk Tirunelveli District without strictly following section 10 of right to Fair Compensation and Transparency in land Acquisition and rehabilitation and resettlement Act 2013 (Act 30 of 2013) and by considering the petitioners representation dated 22.10.2017.

For Petitioner	: Mr.S.Selvakumar
For Respondents	: Mrs.J.Padmavathi Devi, Special Government Pleader.

This writ petition has been filed seeking to forbear the respondents from subjecting his agriculture property to the extent



of Acre 1 Cents 69 with 3HP motor pump set in Survey No. 1953/1 and Acre 1 cents 50 1/2 in Survey No.1951/1 at Panagudi Village Radhapuram Taluk, Tirunelveli District without strictly following Section 10 of right to Fair Compensation and Transparency in land Acquisition and rehabilitation and resettlement Act 2013 (Act 30 of 2013) and by considering the petitioners representation dated 22.10.2017.

2.Heard Mr.S.Selvakumar, learned counsel appearing for the petitioner and Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the respondents.

3.According to the petitioner, he claims to be the owner of the agriculture property to the extent of Acre 1 Cents 69 with 3HP motor pump set in Survey No. 1953/1 and Acre 1 cents 50 1/2 in Survey No.1951/1 at Panagudi Village Radhapuram Taluk, Tirunelveli District. Now, apprehending that the respondents are taking steps to acquire the above said property for the extension of Indian Space Research Organization (ISRO), the petitioner has submitted a representation dated 22.10.2017 requesting them not to acquire the agricultural land of the petitioner. Since, no order has been passed so far, the present writ petition has been filed.

4.Learned counsel appearing for the petitioner submitted that similarly placed person like that of the petitioner has filed a writ petition in W.P(MD)No.20726 of 2017 and this Court directed the first respondent therein to consider the representation of the petitioner dated 10.11.2017 and pass appropriate orders.

5.In view of the above, the first respondent is directed to consider the representation of the petitioner dated 22.10.2017 and pass appropriate 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.

6.With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P(MD)No.586 of 2018 is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to
Industries Department,
Government of Tamil Nadu,
Fort St. George,
Chennai 600 009.



2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

4. The Joint Director,
Agricultural Department,
Tirunelveli District.

5. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

+1cc to Mr.S.S.R. Anbarasu, Advocate Sr.No.41894

+1cc to Spl.Government Pleader Sr.No.42315

SMS

VB/KKR/SAR2/02.02.2018/3P/8C

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