



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9803 of 2018

and

W.M.P. (MD) No.8998 of 2018

S.Selvaraj

... Petitioner

vs.

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2. The Special District Revenue Officer,
Land Acquisition - National Highway,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 21.03.2018 and 17.04.2018 and consequentially direct them to include the petitioners name in the Land Acquisition Proceedings in respect of buildings in Door Nos. 5/392, 5/393 and 5/394 in survey No.66/5B, Kovandakurichi Revenue Village, Lalgudi Circle, Tiruchirappalli District and award fair and adequate compensation to the petitioner.

For Petitioner : Mr.S.Vinod Sathiyalazar

For Respondents: Mr.N.Shanmuga Selvam

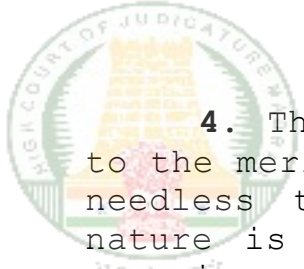
Additional Government Pleader

O R D E R

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 21.03.2018 and 17.04.2018 seeking to include the petitioners name in the Land Acquisition Proceedings in respect of buildings in Door Nos. 5/392, 5/393 and 5/394 in survey No.66/5B, Kovandakurichi Revenue Village, Lalgudi Circle, Tiruchirappalli District and award fair and adequate compensation to the petitioner, has not been considered by the respondents till date and therefore, he has filed the present writ petition.



4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 17.04.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and to any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
2. The Special District Revenue Officer,
Land Acquisition - National Highway,
Tiruchirappalli.

+1cc to Mr.S.Vinod Sathiyalazar, Advocate Sr.No.63896

TM

VB/KKR/SAR2/22/05/2018/2P/4C

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