



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10284 of 2018

R.Palanichamy

... Petitioner

vs.

1.The District Collector,
Tirunelveli District.

2.The Power Grid Corporation
Rep. by its Executive Engineer/
Assistant General Manager
Tenkasi Road, Abnishegapatti,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to pay fair compensation to me for the lands acquired/proposed for erection of High Tension Towers for 46 meters (3 acres) in the middle of my patta lands in S.Nos.105/4 A, 91/2A1, 10/B and 105/1B measuring 11.16 acres in Thirpani Karisalkulam Village, Tirunelveli and consequently direct the respondents to pay compensation for diminishing the value of the remaining extent therein together with interest in accordance with law and on the basis of my representation dated 24.03.2018 within the law stipulated by this Court.

For Petitioner : Mr.B.Karuppasamy

For Respondent : Mrs.J.Padmavadi Devi

No.1

Special Government Pleader

O R D E R

Mrs.J.Padmavadi Devi, learned Special 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 application dated 24.03.2018 seeking to pay fair compensation to him for the lands acquired/proposed for erection of High Tension Towers for 46 meters (3 acres) in the middle of his patta lands in S.Nos.105/4 A, 91/2A1, 10/B and 105/1B measuring 11.16 acres in Thirpani Karisalkulam Village, Tirunelveli, 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 application made by the petitioner. It is needless to point out that whenever an application 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 application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application dated 24.03.2018 on its own merits and take further action in accordance with law, within a period of eight 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 as well as to persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Tirunelveli District.

+1CC to Mr.B.Karuppasamy, Advocate, SR.No. 64671

+1CC to the Special Government Pleader SR.No.64975

W.P. (MD) No.10284 of 2018
28.04.2018

rmi

AM/KKR/SAR 1/28.05.2018/2P/4C