



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2018

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD).No.18310 of 2018

H.Rejibunnisa Beevi

... Petitioner

Vs.

1) The Authorised Officer,
District Revenue Officer(Land Acquisition),
National Highways No.45-C,
(Vikravandi-Kumbakonam, Thanjavur Division),
No.12, Tamizh Nagar, Vilamal,
Thiruvarur.

2) The District Collector, Thiruvarur,
Office of District Collector,
Thiruvarur.

3) The District Collector, Thanjavur,
Office of District Collector,
Thanjavur.

4) M.Muktharunisa

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 21.07.2018 and consequently to pay the entire compensation to the petitioner pertaining to R.S.No.73/4F ர/நன் செய் (kid) extent 501 sq.mts, under Na.Ka.1041 of 2011 அ-தே/நெ/எண்/-45 now Plot No.6, 7 and 8 in R.S.No.73/4F Vilanthakandam, Sholapuram Village, Kumbakonam Taluk, Thanjavur District within stipulated time.

For petitioner

: Mr.M.V.Santharaman

For RR 1 to 3

: Mr.A.Thiyagarajan,
Government Advocate



ORDER

This writ petition has been filed by the petitioner for a Mandamus, to direct the respondents to consider the petitioner's representation dated 21.07.2018 and consequently, to pay the entire compensation to the petitioner.

2. The case of the petitioner is that Plot Nos.6, 7 and 8 in R.S.No.73/4F Vilanthakandam, Sholapuram Village, Kumbakonam Taluk, Thanjavur District were approved by the Directorate of Town Planning under approval No.289 of 1999 dated 06.09.1999. According to the petitioner, the approved plots were sold by one Muktharunisa/ 4th respondent, W/o Mohamad Batsha, residing at No.4, Ramanuja Road, Sholapuram Village, Kumbakonam Taluk, Tanjavur District, under a registered sale deed dated 04.06.2001 in document No.178 of 2001 Thiruppanandal Sub Registry, Kumbakonam Registration District to the petitioner and therefore, the petitioner became the absolute owner, by virtue of the sale deed received from the fourth respondent.

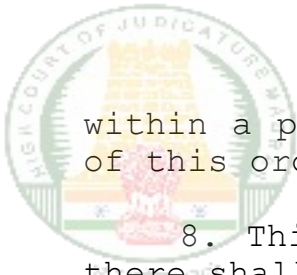
3. The petitioner would state that after the sale, the Patta has been transferred to the petitioner's name by an order dated 25.02.2002 in tho.mu.pa.ma.2/700/2002/2003.

4. According to the learned counsel for the petitioner, the first respondent has issued a notice dated 12.05.2017 for acquisition of lands, where, the petitioner has raised her objection on 28.09.2012. Thereafter, by notice dated 03.01.2013, lands were acquired by the first respondent and compensation for the lands acquired were received by the owners of the respective lands. Though sale has been completed, and patta was also transferred in the name of the petitioner, the compensation for the acquired petitioner's land has been received by the fourth respondent.

5. In this regard, the petitioner gave a detailed representation to the respondents on 21.07.2018 but there has been no progress till date. The learned counsel appearing for the petitioner would state that, if the representation of the petitioner is directed to be considered by the respondents on merits and an order to that effect is directed to be passed within a time frame, the petitioner would be satisfied.

6. Heard Mr.M.V.Santharaman, learned counsel appearing for the petitioner and Mr.A.Thiyagarajan, learned Government Advocate appearing for the respondents.

7. Considering the limited relief sought for by the petitioner, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 21.07.2018 and pass appropriate orders on merits and in accordance with law. The said exercise shall be completed by the respondents



within a period of four weeks from the date of receipt of a copy of this order.

8. This Writ Petition stands disposed of accordingly. However, there shall be no order as to costs.

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/True copy/

Sd/
Assistant Registrar(RTI)

Sub Assistant Registrar(CS-II)

To

- 1) The Authorised Officer,
District Revenue Officer(Land Acquisition),
National Highways No.45-C,
(Vikravandi-Kumbakonam, Thanjavur Division),
No.12, Tamizh Nagar, Vilamal,
Thiruvarur.
- 2) The District Collector, Thiruvarur,
Office of District Collector,
Thiruvarur.
- 3) The District Collector, Thanjavur,
Office of District Collector,
Thanjavur.

+1cc to Mr.T.R.SUBRAMANIAN, Advocate, SR.No. 79578

W.P(MD) .No.18310 of 2018
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STS
KK/RP/SAR-2/01.10.2018/3P-5C