



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.19282 of 2018

and

W.M.P. (MD)No.17117 of 2018

1.Dinesh Chordia

2.Santosh Chordia

... Petitioners

Vs.

1. The District Collector,
Collectorate Office,
Kokarakulam,
Tirunelveli-2.

2. The Special Tahsildar (Land Acquisition)
Unit 6, Radhapuram,
Nanguneri.

3. The Assistant Executive Engineer,
PWD/WHO
Special Project, Sub Division II,
Ambasamudhram,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider the representation dated 17.07.2018 of the petitioners and forthwith direct the respondents to pay the compensation to the petitioners for the acquisition of the lands of an extent of 19 cents in survey no.931/1 and 13 acres and 99 cents in survey no.931/3 totally an extent of 14 acres 18 cents.

For Petitioners : Mr.C.Mahadevan
for M/s.AL.Ganthimathi

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

The petitioners claim to be owners of the lands comprised in Survey Nos.931/1 and 931/3 in Kasthuriengapuram village, Radhapuram Taluk, Tirunelveli District. They have given a representation dated 17.07.2018 and filed this writ petition for directing the respondents to pay compensation to them.



acquire the land in question and that the acquisition process is yet to take off.

3. Therefore, I am of the view that this writ petition has been filed prematurely. No cause of action has arisen. The Government cannot be compelled to acquire any land. Only when it acquires a land, it can be directed to pay compensation. Acquisition proceedings are yet to commence.

4. Therefore, this writ petition is closed as premature. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The District Collector,
Collectorate Office,
Kokarakulam,
Tirunelveli-2.
2. The Special Tahsildar (Land Acquisition)
Unit 6, Radhapuram,
Nanguneri.
3. The Assistant Executive Engineer,
PWD/WHO
Special Project, Sub Division II,
Ambasamudhram,
Tirunelveli District.

+1cc to M/s.AL.Ganthimath, Advocate Sr.No.95950

+1cc to SPL.Govt.Pleader, Sr.No.95793

PNN

KM/SV/SAR2/12.12.2018/2P/6C

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