



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)Nos.20905 to 20908 of 2018

Gunasekaran	.. Petitioner in W.P.(MD)20905/18
Mariappan	.. Petitioner in W.P.(MD)20906/18
Velayutham	.. Petitioner in W.P.(MD)20907/18
Ravi	.. Petitioner in W.P.(MD)20908/18

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Special District Revenue Officer,
National Highways - 45C (Land Acquisition),
Vikiravandi - Kumbakonam - Thanjavur Branch,
Thiruvarur.

3.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

.. Respondents in all Wps

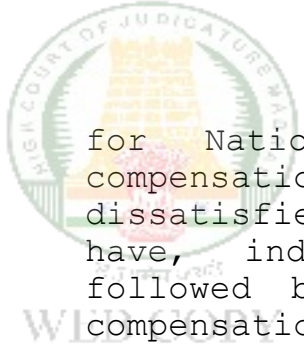
COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to enhance the award amount of the acquired property as Rs.30 Lakhs, Rs.20 Lakhs, Rs.10 Lakhs and Rs.30 Lakhs, respectively, and to allot alternate place for the survival of the petitioner and to give Government employment to anyone of the family member of the petitioners on the basis of the representations of the petitioners dated 15.09.2018.

For Petitioner	: Mr.A.Rajaram
For Respondents	: Mr.A.Thiyagarajan, Government Advocate (In all WPs)

ORDER

Heard the learned Counsel on either side and perused the documents placed on record.

2. According to the petitioners, the subject properties belong to them and as such, they are all acquired by the second respondent



for National Highways project. For the said acquisition, compensation amount was fixed and the same was also awarded. Being dissatisfied with the compensation awarded, all the petitioners have, individually, submitted representations on 29.05.2018, followed by reminders dated 15.09.2018, seeking enhancement of compensation; alternate place for survival; and Government job to anyone of their family members. As no response is forthcoming, they are before this Court.

3. Learned Government Advocate, on instructions, would submit that the acquisition proceedings were carried out as per law and compensation amount was also fixed. If the petitioners are not satisfied with the compensation awarded, as per Section 3(G)5 of the National Highways Act, they have to prefer an application before the Arbitrator, being the District Collector / first respondent in this case, for enhancing the compensation.

4. At this juncture, learned Counsel for the petitioners submitted that since the petitioners have already submitted their representations seeking enhancement, the first respondent / District Collector shall be directed to dispose of the same, within a stipulated time limit.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for, these writ petitions are disposed of, with a direction to the petitioners to enclose a copy of their representations along with a copy of this order to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the first respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of personal hearing to the parties concerned, within a period of six weeks thereafter. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The District Collector,
Thanjavur District,
Thanjavur.



2.The Special District Revenue Officer,
National Highways - 45C (Land Acquisition),
Vikiravandi - Kumbakonam - Thanjavur Branch,
Thiruvarur.

3.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

+1 CC To MR.A.RAJARAM, Advocate SR. NO.89745

Order made in
W.P (MD) Nos.20905 to 20908 of 2018
10.10.2018

GK
TR/SKN/SAR-I (25.10.2018) 3P 5C