

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 3140 of 2019

V.Marimuthu

... Petitioner

Vs

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Special Officer and District
Revenue Officer, (Land Acquisition
Officer),
Tamil Nadu Road Development
Scheme-II, Salem
3. The Special Tahsildar,
(Land Acquisition Officer),
Tamil Nadu Road Development
Scheme-II,
Office of the District Collectorate,
Tiruppur.
4. The Tahsildar,
Office of the Tahsildar,
Dharapuram.
5. The Village Administrative Officer,
Office of the Village Administration,
Suriyanallur Village, Dharapuram Taluk,
Tiruppur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of MANDAMUS directing the 2nd respondent to consider petitioner's representation dated 31.12.2018.

For Petitioner : Ms.Sashe
for Mr.M.Guruprasad

For Respondents : Mr.C.Thirumaran,
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking a direction to the 2nd respondent to consider the petitioner's representation dated 31.12.2018.

2. According to the petitioner, he and his brothers are all co-owners of the property in Survey No.1460/2 at Suriyanallur Village, Dharapuram Taluk, Tiruppur District and the above said land was sought to be acquired by the respondents under the Tamil Nadu Highways Act for widening of the road. Even though the petitioner is claiming to be one of the co-owners of the property, the notice was issued to other co-owners, but no notice was issued to the petitioner. In the above circumstances, the petitioner has sent representation to consider his objections, in which, by proceedings dated 01.12.2018, the Tahsildar, the 3rd respondent has sent a reply stating that the petitioner's objection will be considered at the time of award enquiry. Now, the 2nd respondent Land Acquisition Officer has sent award enquiry notice dated 21.12.2018 to the other co-owners, but the notice was not issued to the petitioner. Therefore, he has made a representation dated 31.12.2018 for considering the petitioner's objections, that was not considered. Hence, he has filed the present Writ Petition.

3. The petitioner is claiming to be one of the co-owners of the property and now, the award enquiry is being conducted, and the petitioner has already submitted his objections. In the said circumstances, the 2nd respondent is directed to consider the petitioner's objection dated 31.12.2018 and pass appropriate orders on merits. With the above direction, the present Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Special Officer and District
Revenue Officer, (Land Acquisition
Officer),

Tamil Nadu Road Development
Scheme-II,
Salem.

3. The Special Tahsildar,
(Land Acquisition Officer),
Tamil Nadu Road Development
Scheme-II,
Office of the District Collectorate,
Tiruppur.
4. The Tahsildar,
Office of the Tahsildar,
Dharapuram.
5. The Village Administrative Officer,
Office of the Village Administration,
Suriyanallur Village, Dharapuram Taluk,
Tiruppur District.

+1 cc to Mr.M.Guruprasad, Advocate, S.R.No.9092

+1 cc to the Government Pleader, S.R.No.9757

W.P. 3140 of 2019

SSI (CO)
SSM(08/03/2019) .