

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.3482 of 2019

Mehaboob Shah
Petitioner

...

Vs.

1. The District Collector/
Arbitrator
Villupuram
Villupuram District

2. The Special District Revenue
Officer, Land Acquisition
Collector Office Complex
Villupuram District.

... Respondents

Prayer:

This Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to pass orders on the Arbitration petition dated 04.05.2018 filed by the petitioner with regard to enhancement of compensation amount taking into account all relevant factors including the present day market value, solarium with interest, on merits and in accordance with law within a time frame as deem fit and proper by this Court and pass such further orders.

For Petitioner : Mr.G.Bala and Daisy

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

O R D E R

The prayer in the Writ Petition is to direct the 1st first respondent to pass orders on the Arbitration petition dated 04.05.2018 filed by the petitioner with regard to

enhancement of compensation amount, within a time frame as fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner is the owner of the subject property and on 31.01.2007 the 2nd respondent acquired 1215 sq.mt. of land belonging to the petitioner. The respondents fixed the compensation of Rs.23,52,895/- for the acquired property of the petitioner. Aggrieved by the same, the petitioner filed W.P. No.28752 of 2011 seeking enhancement of compensation and the same was allowed. The appeal filed in W.A. No.238 of 2013 on 12.04.2017 confirmed the enhancement of compensation. Thereafter, the 2nd respondent fixed the compensation at the rate of Rs.77.50 per sq.ft., although on an earlier occasion the compensation was granted at Rs.116/- per sq.ft. Aggrieved by the insufficient compensation, the petitioner preferred an appeal to the 1st respondent on 04.05.2018. Since no action was taken by the respondents, the present writ petition is filed before this Court.

3. Mr. C. Thirumaran, learned Special Government Pleader takes notice for the respondents and submitted that the appeal filed by the petitioner would be considered by the 1st respondent on merits and in accordance with law.

4. Heard the learned counsel for the parties. With the consent of both the parties, the writ petition is disposed of at the stage of admission itself.

5. Considering the above said submission and the limited scope of prayer sought for by the petitioner, without expressing any opinion on the merits of the case, this Court is inclined to direct the 1st respondent to consider the appeal of the petitioner dated 04.05.2018, on merits and in accordance with law and pass orders as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of, with the above direction. No order as to costs.

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Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

avr

To

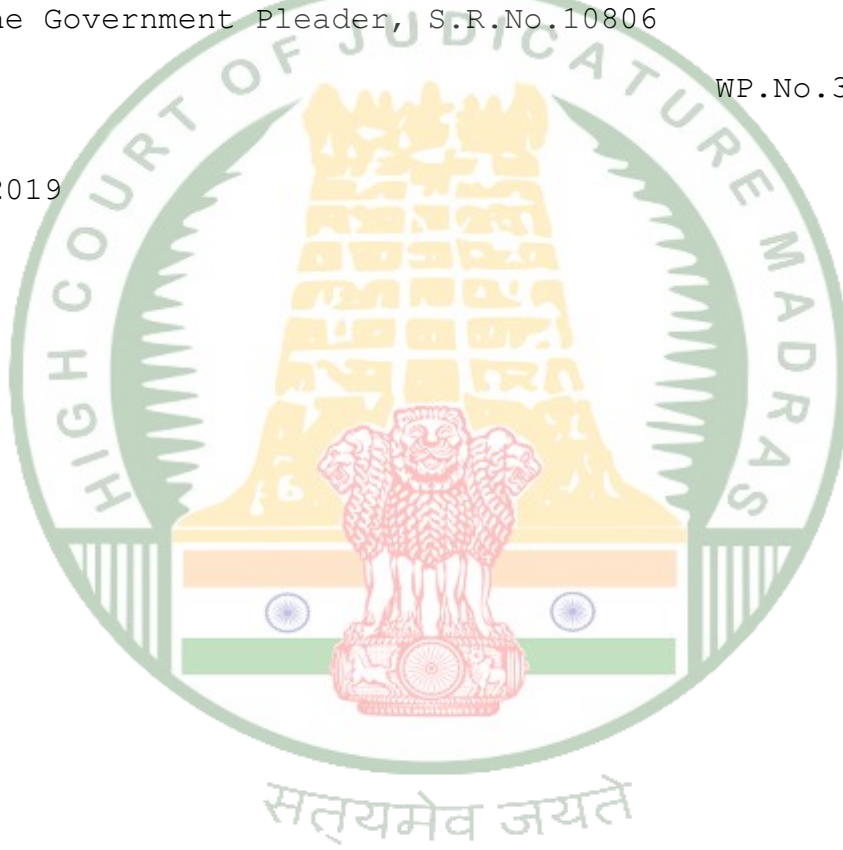
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+1cc to Mr.G.Bala and Daisy, Advocate, S.R.No.10023

+1cc to the Government Pleader, S.R.No.10806

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VD(Co)
CS/14/03/2019



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