

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.12006 of 2019

C.Vijayarajan

...Petitioner

..Vs..

1. The District Collector,
Cuddalore District,
Cuddalore.
 2. The Special District Revenue Officer &
Authorized Officer (Land Acquisition),
National Highway-227,
Cuddalore.
 3. The Special Tahsildar (Land Acquisition),
National Highways, Unit-II,
Kattumannarkoil.
-Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's appeal dated 04.02.2019 against the award passed Na.Ka.Thea.Nae/Ni.A/A/45/2016, dated 25.06.2018 on the file of the second respondent and direct the first respondent to pay higher compensation to the petitioner within a time frame manner.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

Mr.M.Elumalai, learned Government Advocate takes notice for the respondent. By consent, this Writ Petition is taken up for final disposal.

2. The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the first respondent to consider the appeal of the petitioner, dated 04.02.2019 against the award passed Na.Ka.Thea.Nae/Ni.A/A/45/2016, dated 25.06.2018 on the file of the second respondent and direct the first respondent to pay higher compensation to the petitioner within a time frame manner.

3. The case of the petitioner is that his land in Survey Nos.5/5C2, 7/3B, 7/4 and 7/6 to an extent of 1439 sq.meter was acquired by the third respondent for the purpose of "laying four way road" and subsequently, the second respondent passed an award for a sum of Rs.6,69,463/-. Aggrieved over the said award, the petitioner made an appeal before the first respondent on 04.02.2019, seeking enhancement of compensation. However, till date no order has been passed. Hence, the present Writ Petition.

4. The learned Government Advocate appearing for the respondents would submit that the petitioner's appeal dated 04.02.2019 will be considered by the first respondent on merits and in accordance with law, within a time frame as fixed by this Court.

5. In the light of the submissions and also considering the limited scope of prayer sought for in this writ petition, this Court, without going into merits of the case, directs the first respondent to consider the appeal filed by the petitioner, dated 04.02.2019, and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There is no order as to costs.

r n s

Sd/-

Assistant Registrar (AD-IV)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Cuddalore District,
Cuddalore.

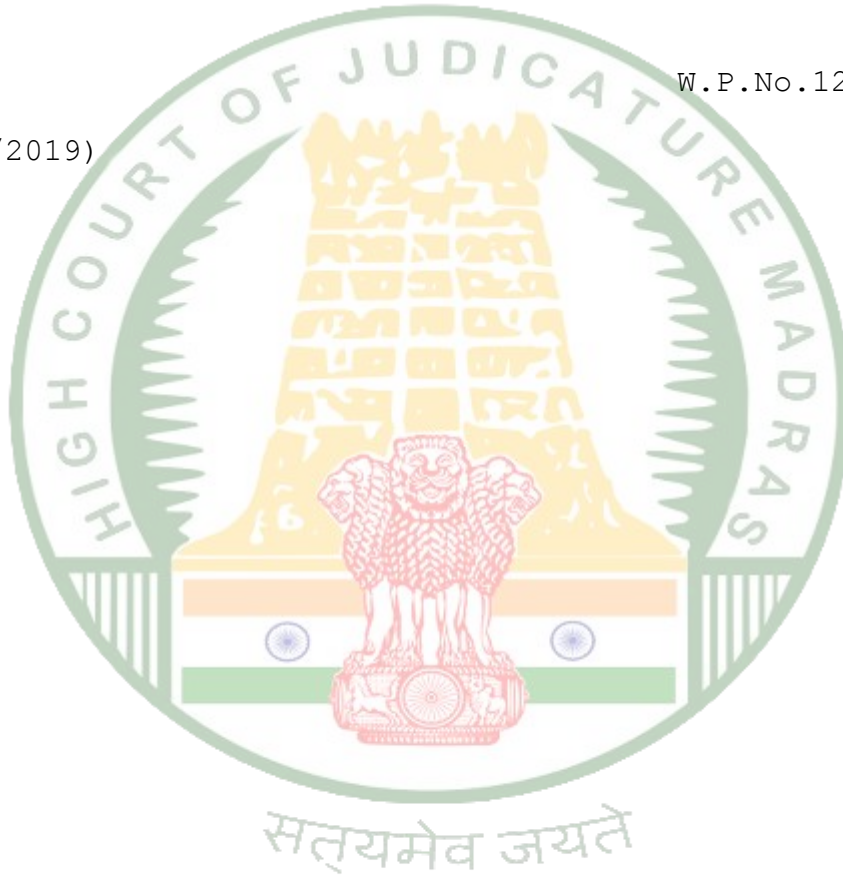
2.The Special District Revenue Officer &
Authorized Officer (Land Acquisition),
National Highway-227,
Cuddalore.

3.The Special Tahsildar (Land Acquisition),
National Highways, Unit-II,
Kattumannarkoil.

+lcc to Mr.K.Gandhi Kumar, Advocate, SR.No.38538/19
+lcc to the Govt.Pleader, Vide Sr.No.39122/19

W.P.No.12006 of 2019

Kak(31/05/2019)



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