

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.33183 of 2018

R.Dhanapal

..Petitioner

1. The District Collector  
Thiruvananthapuram District  
Thiruvananthapuram.
  2. The Special Tahsildhar  
(Land Acquisition)  
Thiruvananthapuram, Taluk & District.
  3. The Tahsildhar  
Thiruvananthapuram Taluk & District.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.10.2018 for payment of compensation for the property, situated at Thiruvananthapuram Town, Thiruvananthapuram, Taluk and District:

- (a) Land to an extent of Acre 1.29 cents in Survey No.1868;
- (b) Land to an extent of 1.30 cents in Survey No.1872; and
- (c) Land to an extent of 1.52 Cents in Survey No.1873;

and consequentially direct the respondents to furnish the details of land acquisition proceedings and payment of compensation.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.D.Raja (R1 to R3)  
Government Advocate

O R D E R

This Writ Petition has been filed by the petitioner seeking direction to the respondents to consider the petitioner's representation dated 22.10.2018 for payment of compensation for the properties i.e., Land to an extent of Acre 1.29 cents in Survey No.1868, Land to an extent of 1.30 cents in

Survey No.1872, Land to an extent of 1.52 Cents in Survey No.1873, situated at Thiruvanamalai Town, Thiruvanamalai, Taluk and District and consequentially direct the respondents to furnish the details of land acquisition proceedings and payment of compensation.

2. According to the petitioner the aforesaid properties were owned by the mother of the petitioner Smt.Govindammal and after her death her legal heirs including the petitioner were in possession of the same. While so, the Government acquired the said lands for the purpose of Constructing Government Arts and Science College. The petitioner received the letter from the District Collector, Vellore dated 25.07.1976 and subsequent letter dated 15.02.1976 of the Tahsildar calling upon the petitioner for enquiry, in respect of compensation of the acquired lands. The petitioner also attended for the enquiry. But, so far he has not received any compensation. Hence, the petitioner has filed the writ petition seeking for the aforesaid relief.

2. The learned Government Advocate appearing for the respondents would submit that since the records in respect of the said acquisition are pertaining to the year 1966, the authorities are unable to trace out the same. He has produced the proceedings of the Tahsildar dated 30.01.2019 to that effect. He also raised a specific objection with regard to the genuineness of the documents produced by the petitioner. He would further submit that having slept over for more than 55 years, the petitioner has approached this Court for compensation and therefore the request of the petitioner is hit by latches and hence prays for the dismissal of this Writ Petition.

3. Considering the facts and circumstances of the case and despite the fact that there is delay in approaching this Court, in the interest of justice, without expressing any opinion on the merits of the case, the first respondent is directed to conduct enquiry and pass orders, on merits and in accordance with law, as expeditiously as possible, not later than twelve weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

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To

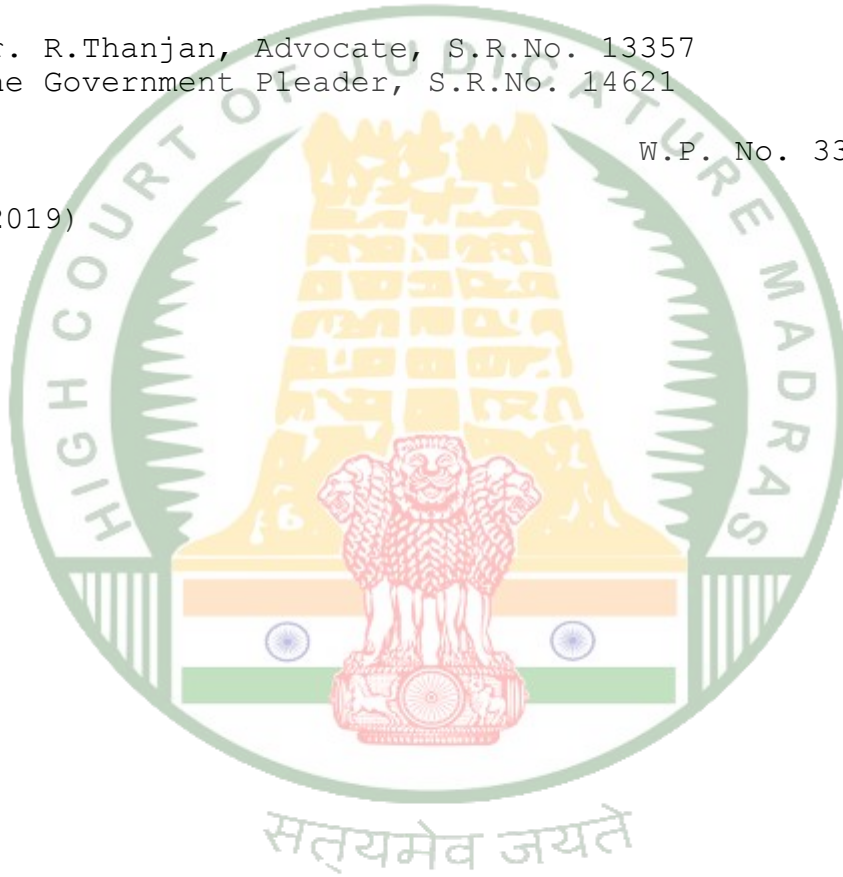
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+1cc to Mr. R.Thanjan, Advocate, S.R.No. 13357

+1cc to the Government Pleader, S.R.No. 14621

W.P. No. 33183 of 2018

GP(CO)  
GN(25/03/2019)



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