



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13985 of 2019

S.Vairamani

... Petitioner

-Vs-

1. The District Collector,
Trichy District,
Trichy.

2. The District Revenue Officer,
Trichy District,
Trichy.

3. The Revenue Divisional Officer (Stamps),
Old Collector Office Building,
Trichy.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to conclude the Appeal proceedings in ந.க.மே.மு.மனு சி4/29527/2007 on his file, of the petitioner for enhanced compensation of the acquired lands to an extent of 841 Sq.Mt in S.F.No. 178/4A, an extent of 1080 Sq.Mt in S.F.No.178/5A and an extent of 443 Sq.Mt in S.F.No.178/6A of Adhavathur (East), Srirangam Taluk, Trichy District within time frame fixed by this Court.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.C.M.Mari Chellaiah Prabhu, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to conclude the Appeal proceedings in e.f.Nk.K.kD rp4/29527/2007 on his file, of the petitioner for enhanced compensation of the acquired lands to an extent of 841 Sq.Mt in S.F.No. 178/4A, an extent of 1080 Sq.Mt in S.F.No.178/5A and an extent of 443 Sq.Mt in S.F.No.178/6A of Adhavathur (East), Srirangam Taluk, Trichy District within time frame fixed by this Court.



2. Heard Mr.V.Karuna, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3. The grievance of the petitioner is that the lands of the petitioner in S.F.No. 178/4A, S.F.No.178/5A and S.F.No.178/6A at Adhavathur (East), Srirangam Taluk, Trichy District have been acquired by the Highways authorities under the National Highways Act and the compensation as determined by the competent authority has been paid. However, feeling aggrieved over the inadequate compensation determined by the competent authority, the petitioner preferred an appeal (Arbitration Petition) before the 1st respondent District Collector under Section 3(G)(5) of the National Highways Act and the said appeal is pending before the 1st respondent and hence, in order to dispose of the said appeal, i.e., Arbitration Petition, by the 1st respondent on merits, the petitioner has approached this Court with the aforesaid prayer.

4. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the said appeal pending before the 1st respondent would be considered and decided on merits, within a time frame to be stipulated by this Court.

5. Considering the limited scope of the prayer sought for in this writ petition, with the consent of both the parties, this writ petition is disposed of, at the admission stage itself, with the following direction:

"The 1st respondent is directed to consider the appeal filed by the petitioner under Section 3(G)(5) of the National Highways Act, by way of Arbitration Petition for enhancement of compensation awarded by the competent authority in respect of the lands of the petitioner acquired already and pass final order, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. With this direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)



To

1. The District Collector,
Trichy District,
Trichy.
2. The District Revenue Officer,
Trichy District,
Trichy.
3. The Revenue Divisional Officer (Stamps),
Old Collector Office Building,
Trichy.

+1cc to M/s.Special Government Pleader, SR.No. 70966

Order made in
W.P. (MD) No.13985 of 2019

21.06.2019

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KK/SAR/02.07.2019/3P-5C

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