



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.16794 of 2019

A.Ilango

... Petitioner

-Vs-

1.The District Collector,
Sivagangai District, Sivagangai

2. The Competent Authority Cum
Special District Revenue Officer(Land Acquisition)
National Highways Department,
Ramanathapuram District.

3.The Special Thasildar,
Land Acquisition, National Highways Unit-II,
Manamadurai,
Sivagangai.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the third respondent to conclude the enquiry being conducted by him vide his proceedings in Na.Ka.A1/104/2013 dated 15.03.2019 in connection with the acquisition of the petitioner's property situated in Survey No.217/3, Part, Manamadurai Village and Taluk, Sivagangai District and consequently direct him to disburse the compensation payable in respect of the said acquisition to the petitioner as expeditiously as possible within the time stipulation prescribed by this Court.

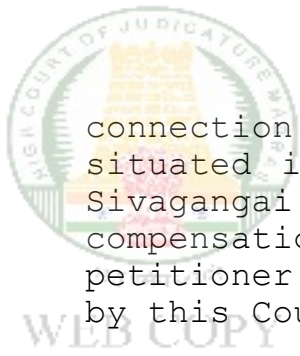
For Petitioner : Mr.R.Anand

For Respondents : Mr.M.Rajarajan, GA,

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 3rd respondent to conclude the enquiry being conducted by him vide his proceedings in Na.Ka.A1/104/2013 dated 15.03.2019 in

<https://hcservices.ecourts.gov.in/hcservices/>



connection with the acquisition of the petitioner's property situated in Survey No.217/3, Part, Manamadurai Village and Taluk, Sivagangai District and consequently direct him to disburse the compensation payable in respect of the said acquisition to the petitioner as expeditiously as possible within the time stipulated by this Court.

2.Heard Mr.R.Anand, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the respondents.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

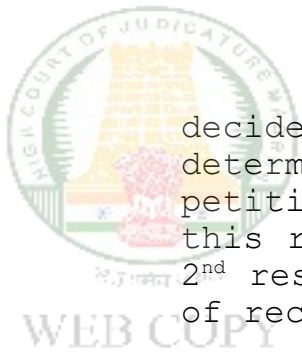
4.The petitioner purchased a land in Survey No.217/3, Part, Manamadurai Village and Taluk, Sivagangai District in the year 1995 by a registered document No.247/95 and subsequently, he claimed that, he has been in possession and enjoyment of the said property. While so, in the year 2015, the respondent sought to acquire the said land for laying Highways and in this regard, an enquiry is being contemplated to determine the compensation payable by the respondents for the said acquired land and in this regard, notice has been issued to the petitioner, where, he appeared before the competent authority and very recently also notices have been issued in the month of March and April 2019. Pursuant to which also, the petitioner appeared before the 2nd respondent and gave all the documents and details and claimed adequate compensation. However, the 2nd respondent is yet to decide the same.

5.In view of the said position, the learned counsel appearing for the petitioner would submit that, in this regard, the petitioner has given representation on 03.06.2019 to the 2nd respondent explaining all these reasons and requested him to decide the compensation at the earliest. Therefore, if the said representation is directed to be decided, within a time frame, on merits and in accordance with law, the petitioner would be satisfied.

6.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said representation of the petitioner dated 03.06.2019 would be decided, based on the enquiry already conducted in this regard and accordingly, final order would be passed, within a time frame to be stipulated by this Court.

7.Having regard to the said submissions made by both sides, this Court is inclined to dispose of this writ petition, with the following direction:

"The 2nd respondent is hereby directed to consider the representation of the petitioner dated 03.06.2019 and



decide the issue and pass final order, with regard to the determination of the compensation payable to the petitioner, based on the enquiry already been conducted in this regard and the said action shall be completed by the 2nd respondent, within a period of six weeks from the date of receipt of a copy of this order."

8. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Sivagangai District, Sivagangai

2. The Competent Authority Cum
Special District Revenue Officer (Land Acquisition)
National Highways Department,
Ramanathapuram District.

3. The Special Thasildar,
Land Acquisition, National Highways Unit-II,
Manamadurai, Sivagangai District.

+1 CC to M/s.R.ANAND, Advocate (SR-78699[F] dated 30/07/2019)

+1 CC to M/s.SPL GP (SR-78869[F] dated 31/07/2019)

Order made in
W.P. (MD) No.16794 of 2019
Dated: 30.07.2019

Arul

JMN (05.09.2019) 3P : 6C