



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.19718 of 2019

WEB COPY

K.Gopal

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Special Tahsildar,
Land Acquisition of National Highways,
Karaikudi - Ramanathapuram NH-210,
R.S.Mangalam, Ramanathapuram District.

3.The Special District Revenue Officer,
Land Acquisition of National Highways - 210 & 49,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 03.08.2019 to direct the third respondent to pass orders to provide compensation for acquiring the petitioner's house and its site situated on Survey No.81/13A in Patta No.28 towards the expansion of Trichy to Rameshwaram four way road within a time limit by perusing all the documents submitted on his side.

For Petitioner : Mr.R.Babu Jaganath

For Respondents : Ms.V.P.M.Vaishnavi,
Government Advocate.

ORDER

Mr.R.Babu Jaganath, learned counsel on record for writ petitioner is before this Court.

2. Ms.V.P.M.Vaishavi, learned Government Advocate accepts notice on behalf of all three respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 03.08.2019 wherein writ petitioner has sought compensation for his house and site, what according to him, his lands which have been



acquired.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the third respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 03.08.2019 on its own merits and in accordance with law.

6. Learned State counsel submitted that the third respondent is the authority who shall consider the aforementioned representation dated 03.08.2019 made by the writ petitioner (page Nos.6 to 9 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 03.08.2019 shall be disposed of by the third respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the third respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the third respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the office of the third respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)



To

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Ramanathapuram.
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+1 CC to M/s.R.BABU JAGANATH, Advocate (SR-87030[F] dated 17/09/2019)

+1 CC to M/s.SPL GP (SR-87249[F] dated 17/09/2019)

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