



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.21460 of 2019

WEB COPY

1.Dowlath Beevi
2.Soorath Beevi

... Petitioners

/Vs./

1. The District Collector,
District Collectorate,
Ramanathapuram.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ramanathapuram.

3. The Special Tahsildar,
District Adi Dravidar and Triba Welfare Officer,
Office of the District Adi Dravidar and Tribal Welfare Officer,
Ramanathapuram District Collectorate,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents herein to consider the petitioner's representation dated 24.07.2019 and 08.11.2016 and pass appropriate order to refer the award/case of the petitioner in respect of S.No.115/2 Pattinamkathan Village measuring 0.32.5 hectare, Ramanathapuram District for enhancement of compensation under Section 18 of the Land Acquisition Act to the Sub Court, Ramanathapuram within a time stipulated by this Court.

For Petitioners : Mr.S.Vashik Ali
for Mr.D.Nallathambi
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.S.Vashik Ali, learned counsel on record for writ petitioners is before this Court.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, 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 23.07.2019 wherein writ petitioner has sought enhancement of compensation for lands, which were 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 23.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the third respondent is the authority who shall consider the aforementioned representation dated 23.07.2019 made by the writ petitioner (page No.26 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 23.07.2019 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 (8) 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 (7) working days from the completion of aforesaid exercise.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Collector,
District Collectorate,
Ramanathapuram.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ramanathapuram.

3.The Special Tahsildar,
District Adi Dravidar and Triba Welfare Officer,
Office of the District Adi Dravidar and Tribal Welfare Officer,
Ramanathapuram District Collectorate,
Ramanathapuram.

+1 CC to Mr.D.NALLATHAMBI, Advocate (SR-91960[F] dated 15/10/2019)

+1 CC to SPL GP (SR-92129[F] dated 16/10/2019)

Order made in
W.P (MD) No.21460 of 2019
Dated:14.10.2019

rmk

MK (23.10.2019) 3P 6C