



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.22434 of 2019

M.Abdul Sathar

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The District Revenue Officer,
Madurai District, Madurai.

3.The Special Tahsildar (Land Acquisition),
Madurai Airport Extension Scheme,
Madurai District, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to pay the compensation award amount to the petitioner based on his representation dated 28.09.2019 to the land acquisition made by the respondents in Survey Nos.466/1K2A at Ayyanpappakudi Village for expansion of Madurai Airport.

For Petitioner : Mr.M.Ajmal Khan

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

ORDER

Mr.M.Ajmal Khan learned counsel on record for writ petitioner is before this Court.

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

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

4. Instant main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 28.09.2019 wherein writ petitioner claims



compensation for acquisition of lands which according to writ petitioner belongs to him.

5. Notwithstanding several averments/ 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 / prayer in instant 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 28.09.2019, 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 28.09.2019 made by the writ petitioner (page Nos.27 & 28 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 28.09.2019 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 put on notice and 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 of aforementioned representation 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, ie., seven days from date of disposal.

10. Instant Writ Petition is disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Special Tahsildar (Land Acquisition),
Madurai Airport Extension Scheme,
Madurai District, Madurai.

+1 CC to M/s.M.AJMAL KHAN, Advocate (SR-93966[F] dated 23/10/2019)

+1 CC to M/s.SPL GP (SR-94258[F] dated 24/10/2019)

W.P (MD) No.22434 of 2019
23.10.2019

JMN(04.11.2019) 3P : 6C