



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.24558 of 2019

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Parijha Beevi

... Petitioner

Vs.

1.The Special District Revenue Officer,
Land Acquisition (N.H.),
Madurai-Natham National Highway,
Dindigul District.

2.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

3.The Special Tahsildar (L.A.),
Natham Taluk,
Dindigul District.

4.The Project Director,
National Highways Authority of India,
Plot No.3, Surya Towers, 2nd Floor,
K.K.Nagar, Madurai-20.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to disburse the fair and just compensation to the petitioner, for the acquisition of her land in S.No.469/2 & S.No.469/4 in Reddiapatti Village, in Natham Taluk, Dindigul District, by disposing her representation dated 16.10.2019 within a reasonable time to be fixed by this Court.

For Petitioner	: Mr.R.Suriyanarayanan
For Respondents	: Ms.V.P.M.Vaishnavi
	Government Advocate
	for R.1 to R.3
	: Mr.B.Senthilnathan
	for Mr.C.Arulvadivel @ Sekar
	for R.4

ORDER

Mr.R.Suriyanarayan, learned Counsel on record for writ petitioner, Ms.V.P.M.Vaishnavi, learned Government Advocate, who accepts notice on behalf of respondents 1 to 3 and Mr.B.Senthilnathan, learned Counsel, who accepts notice on behalf of fourth respondent are before this Court.



2. With consent of all aforesaid learned Counse, main writ petition is taken up, heard out and is being disposed of.

3. Instant main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation despatched by registered post with acknowledge due on 16.10.2019 wherein writ petitioner has sought compensation for lands acquired.

4. 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 instant writ petition / prayer in instant writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned representation of the writ petitioner, despatched by registered post with acknowledge due on 16.10.2019, details of which have been alluded to supra.

5. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation despatched by registered post with acknowledge due on 16.10.2019 made by the writ petitioner (page Nos.19 to 25 of the typed set of papers forming part of the case file).

6. The aforesaid representation despatched by registered post with acknowledge due on 16.10.2019 shall be disposed of by the first 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.

7. It is made clear that in the course of the representation being considered by the first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first 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. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

8. The proceeding / order of disposal of aforementioned representation shall be communicated by the office of the first respondent to the writ petitioner and others concerned if any under due acknowledgement within seven (7) working days from the completion of aforesaid exercise, ie., seven days from date of disposal.



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

Sd/-

Assistant Registrar (CS-II)

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// True Copy //

Sub Assistant Registrar(CS)

SSL

To

1.The Special District Revenue Officer,
Land Acquisition (N.H.),
Madurai-Natham National Highway,
Dindigul District.

2.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

3.The Special Tahsildar (L.A.),
Natham Taluk,
Dindigul District.

+1 CC to Mr.C. ARUL VADIVEL @ SEKAR, Advocate (SR-100173[F] dated 21/11/2019)

+1 CC to Mr.R. SURIYANARAYANAN, Advocate (SR-100230[F] dated 21/11/2019)

+1 CC to Spl.GP (SR-100561[F] dated 22/11/2019)

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==MK (06.12.2019) 3P 7C