



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.11.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P (MD)No.24648 of 2019

WEB COPY

B.Nambirajan

... Petitioner
Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to pay the compensation for S.No.444/10 at Thiruvanthancode Village, Kanyakumari District as per the Modification Award No.6/2015 dated 20.08.2018 by passing orders on the representation dated 01.10.2018.

For Petitioner	: Mr.G.Justin
For Respondents	: Mr.M.Rajarajan Government Advocate

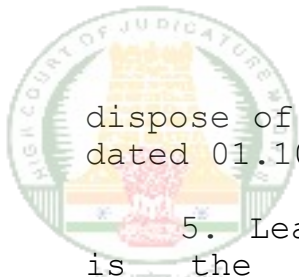
ORDER

Mr.G.Justin, learned Counsel on record for writ petitioner and Mr.M.Rajarajan, learned Government Advocate, who accepts notice on behalf of both respondents are before this Court.

2. With consent of learned Counsel on both sides, 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 dated 01.10.2018 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 second respondent is directed to



dispose of the aforementioned representation of the writ petitioner, dated 01.10.2018, details of which have been alluded to supra.

5. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 01.10.2018 made by the writ petitioner (page Nos.8 and 9 of the typed set of papers forming part of the case file).

6. The aforesaid representation dated 01.10.2018 shall be disposed of by the second 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 second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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 second 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 (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

SSL



To

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.

+1 CC to M/s.G. JUSTIN, Advocate (SR-100120[F] dated 21/11/2019)

+1 CC to M/s.GP (SR-100552[F] dated 22/11/2019)

W.P (MD) No.24648 of 2019
21.11.2019

KK/SAR/13.12.2019/3P-5C/