



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.11.2019

CORAM:

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

W.P(MD)No.25502 of 2019

S.Sami Nadar
represented by his Power Agents
1.J.Ubalt Raj
2.N.Natrayan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Special Tahsildar (Land Acquisition),
Interlinking of Rivers(Unit-6),
Radhapuram at Nanguneri,
Tirunelveli District.

... Respondents

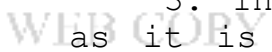
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to complete the procedure of determining the compensation under "Section 26 to 30" of the Act, 2013 in respect of the lands acquired from the petitioner in S.No.155/6A and in S.No.155/6B at Ilankulam Village, Nanguneri Taluk, Tirunelveli and consequently refer the dispute to the Authority for enhancement of compensation in accordance with "Section 64" of the Act, 2013 by considering the petitioner's representation dated 11.10.2019 within the time fixed by this Court.

For Petitioner : Mr.H.Arumugam

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Mr.H.Arumugam learned Counsel on record for writ petitioner and
Mr.M.Rajarajan learned Government Advocate, who accepts notice on
<https://hcservices.ecourts.gov.in/hcservices/>



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 11.10.2019 wherein writ petitioner has sought fixation of compensation for acquired lands in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30/2013).

5. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 11.10.2019 made by the writ petitioner (page Nos.26 to 28 of the typed set of papers forming part of the case file).

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, 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 ie., the second respondent 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 date of completion of aforesaid exercise, ie., seven days from date of



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

WEB COPY

// True Copy //

Sd/-

Assistant Registrar (Writs)

Sub Assistant Registrar(CS)

SSL

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Special Tahsildar (Land Acquisition),
Interlinking of Rivers(Unit-6),
Radhapuram at Nanguneri,
Tirunelveli District.

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-103089[F] dated 03/12/2019)

+1 CC to M/s.GP (SR-103006[F] dated 02/12/2019)

W.P (MD) No.25502 of 2019
29.11.2019

JMN(16.12.2019) 3P : 5C