



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :18.08.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.9427 of 2020

C.Ramachandran

...Petitioner

Vs

1. The Special District Revenue Officer,
Land Acquisition-National Highways,
Madurai Ring Road, NH 744-A,
No.5A, Besant Road, Baskar Complex,
Chinnachockkikulam,
Madurai - 2.

2. The Special Tahsildar,
Land Acquisition-National Highways,
National Highways No.744A,
Vaadipatti Taluk, Unit-4.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant the compensation awarded for the properties concerning S.Nos.34/3, 34/3B, 34/2B, 34/2B2, 33 and 33/2 situated in Chinnamanayakkanpatti Village, Vadipatti Taluk of Madurai District to the petitioner, on considering the petitioner's representation dated 18.02.2020.

For Petitioner : Mr.K.Chengizkhan

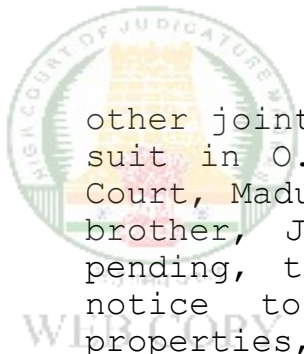
For Respondents : M/s.V.P.M.Vaishnavi
Government Advocate

ORDER

This Writ Petition is filed to direct the respondents to grant compensation awarded for the acquired properties in S.Nos.34/3, 34/3B, 34/2B, 34/2B2, 33 and 33/2 situated in Chinnamanayakkanpatti Village, Vadipatti Taluk of Madurai District to the petitioner.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, he purchased the aforesaid property, by way of sale deed dated 25.03.1994. In respect of the



other joint family properties, the petitioner and others had filed a suit in O.S.No.94 of 2018 on the file of the Principal District Court, Madurai for partition against the legal heirs of his deceased brother, Jagadeesan and his mother, Pandiyammal and the same is pending, till now. At this juncture, the respondents have issued notice to the petitioner for acquisition of the aforesaid properties, since the same has been purchased by the petitioner, prior to the notification. Thereafter, the petitioner endorsed his written consent for the said acquisition and awaited for the compensation award, since he has no objection for the acquisition. However, the petitioner did not receive any such compensation, till date. Narrating all the facts, the petitioner made a representation dated 18.02.2020, to the 1st respondent to grant compensation for the said acquisition. So far, no action has been taken by the respondents. Hence, the petitioner is before this Court.

4.In reply, the learned Government Advocate appearing for the respondents would submit that an award has been passed by the respondent department for the said acquisition and if the petitioner submits all the relevant documents before the 1st respondent, his representation dated 18.02.2020, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned Government Advocate, without expressing any opinion on the merits of the case, this Court is inclined to pass the following directions:-

i) the petitioner is directed to produce all the relevant documents to seek his remedy before the 1st respondent, within a period of two weeks from the date of receipt of a copy of this order;

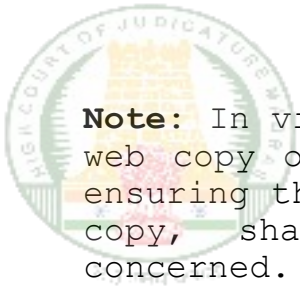
ii) on receipt of such documents, the 1st respondent is directed to consider the petitioner's representation dated 18.02.2020, and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of twelve weeks therefrom;

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar()

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/ /2020
Sub Assistant Registrar



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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Vaadipatti Taluk, Unit-4.

W.P. (MD) No.9427 of 2020
18.08.2020

MM

SRS/26.08.2020/3P/3C