



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P (MD)No.14286 of 2020

WEB COPY

M.Indira

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Special District Revenue Officer,
(Land Acquisition),
National Highways-227,
Tiruchirappalli.

3.The Special Thasildhar (Land Acquisition),
National Highways-227,
Tiruchirappalli-Chidamparam Division (Part-II),
Ponnagar,
Tiruchirappalli.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner's application of appeal dated 22.06.2020 by affording reasonable opportunity to the petitioner and disburse the adequate compensation for the petitioner's land in Survey No.215/19, Kalagam Village, Lalgudi Taluk, Tiruchirappalli District within a time frame to be fixed by this Court.

For Petitioner	: Mr.N.Syed Ali
For respondents	: Mr.V.P.M.Vaishnavi, Government Advocate

ORDER

This writ petition has been filed for issuance of a direction to the first respondent to consider the petitioner's application of appeal dated 22.06.2020 by affording reasonable opportunity to the petitioner and disburse the adequate compensation for the petitioner's land in Survey No.215/19, Kalagam Village, Lalgudi Taluk, Tiruchirappalli District within a time frame to be fixed by this Court.

2. Ms.V.P.M.Vaishnavi, learned Government Advocate takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.



3. The case of the petitioner is that the respondents acquired an extent of 237 square metre from the petitioner's land in Survey No.215/19, Kalagam Village, Lalgudi Taluk, Tiruchirappalli District for the purpose of widening the National Highways-227. In this regard the third respondent issued a communication dated 19.12.2016 directing the petitioner to produce certain documents on 02.01.2017 and thereafter, without providing any opportunity to the petitioner, the second respondent fixed a compensation to the said land and passed order dated 18.05.2018. The grievance of the petitioner is that the neighbors received higher compensation than the petitioner. According to the petitioner, the compensation fixed by the second respondent is not adequate. Thereafter, the second respondent issued a communication dated 01.10.2018 directing the petitioner to surrender the possession of the said land to the third respondent. Challenging the order of the second respondent dated 01.10.2018 the petitioner preferred an appeal before the first respondent on 22.06.2010. The same is still pending before the first respondent.

4. Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 22.06.2020 is disposed of by the first respondent at the earliest after providing adequate opportunity to the petitioner.

5. Learned Government Advocate appearing for the respondents would submit that the first respondent is prepared to consider the appeal application of the petitioner and to pass suitable orders on the same.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 22.06.2020 submitted by the petitioner and to pass appropriate orders in accordance with law within a period of six months from the date of receipt of a copy of this order, if there is no legal impediment to do so.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Special District Revenue Officer,
(Land Acquisition),
National Highways-227,
Tiruchirappalli.

3.The Special Thasildhar (Land Acquisition),
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W.P(MD)No.14286 of 2020
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sss(CO)
TR(22.10.2020) 3P 4C