



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

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W.P. (MD) No.18148 of 2020

K.Ramasamy

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Dindigul-624 004.

2.The Special District Revenue Officer,
(Land Acquisition),
O/o. the Special Revenue Officer,
National Highways Authority of India,
No.567, APJ Abdul Kalam Street,
Chennamanaikanpatty,
Collectorate Post,
Dindigul - 624 004.

3.The Managing Director,
National Highways Authority of India,
Registered Office, Anna Salai,
Chennai - 600 001.

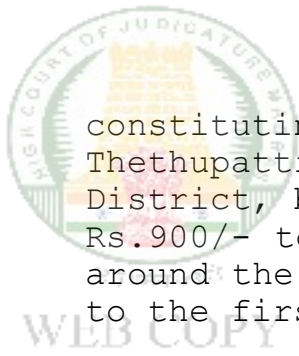
... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the first respondent to enhance and fix fair compensation of the award amount for the lands acquired by the second respondent dated 21.02.2019, comprising in Survey No.449/11, constituting 0.00096 hectares in Patta No.271, situated at Thethupatti Village, Aandarasanpatti, Dindigul West, Dindigul District, by taking into consideration of the market value of around Rs.900/- to Rs.1000/- per square feet of the lands situated in and around the areas by considering the petitioner's representation sent to the first respondent dated 24.10.2020.

For Petitioner	: Mr.L.Prabhu
For Respondents	: Mr.K.P.Krishnadoss Special Government Pleader for R1 Mr.C.Arul Vadivel @ Sekar for R2 and R3

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the first respondent to enhance and fix fair compensation of the award amount for the lands acquired by the second respondent dated 21.02.2019, comprising in Survey No.449/11,



constituting 0.00096 hectares in Patta No.271, situated at Thethupatti Village, Aandarasanpatti, Dindigul West, Dindigul District, by taking into consideration of the market value of around Rs.900/- to Rs.1000/- per square feet of the lands situated in and around the areas by considering the petitioner's representation sent to the first respondent dated 24.10.2020.

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

3. Mr.K.P.Krishnadoss, learned Special Government Pleader accepts notice on behalf of the first respondent and Mr.C.Arul Vadivel @ Sekar, learned counsel takes notice for the respondents 2 and 3.

4. The case of the petitioner is that the petitioner's agricultural land has been acquired by the second respondent for the purpose of widening the road by the third respondent and for which compensation was granted to him is not according to the market value of the land. According to the petitioner, he is entitled for getting the enhanced compensation as per the present market value of lands of adjacent land owners at Rs.900/- to Rs.1000/- per sq. ft. Hence, the petitioner sent a representation dated 24.10.2020 to the respondents in this regard, which was forwarded to the second respondent by the first respondent for taking effective steps on the objection made by the petitioner. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5. Learned counsel for the petitioner further submitted that it would suffice, if the representation of the petitioner dated 24.10.2020 is disposed of by the first respondent at the earliest.

6. Learned Special Government Pleader, appearing for the first respondent would submit that the first respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

7. 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 24.10.2020 submitted by the petitioner and to pass appropriate orders in accordance with law, after hearing the petitioner and the persons, who are interested or the persons, who will likely to be affected, within a period of six months, preferably, on or before 30th June, 2021, if there is no legal impediment to do so.



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8. Accordingly, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

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Sub Assistant Registrar(CS)

PJL

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.

To

1.The District Collector,
Office of the District Collector,
Dindigul-624 004.

2.The Special District Revenue Officer,
(Land Acquisition),O/o. the Special Revenue Officer,
National Highways Authority of India,
No.567, APJ Abdul Kalam Street,
Chennamanaikanpatty, Collectorate Post,Dindigul - 624 004.

3.The Managing Director,
National Highways Authority of India,
Registered Office, Anna Salai,
Chennai - 600 001.

+1 CC to M/s L.Prabhu,Advocate,Copy Appln,SR.No.25187 of 2020 dated
11.12.2020

+1 CC to Spl.Govt.Pleader,Copy Appln.SR.No.25131 of 2020 dated
11.12.2020

W.P. (MD) No.18148 of 2020
10.12.2020

(DKS) CO
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