



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.08.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.24289 of 2018

and

W.M.P. (MD) No.21969 of 2018

WEB COPY

Muthulakshmi

...Petitioner

Vs

1.The District Collector,  
Madurai District,  
Madurai 625 020.

2.The Special Tahsildar (Land Acquisition),  
Airport Extension Office,  
Unit I, Campus of Madurai District,  
Collector Office,  
Madurai 625 020.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents not to dispossess petitioner from her house being Door No.2/837, Sri Ram Nagar, Near Airport, Perungudi Post, Madurai 625 022, till payment of entire compensation, consequentially direct the respondents to pay suitable compensation with solacium and interest and other lawful amount if any, in the light of the Right of Fair Compensation Act, Act-10/1999 for industrial purpose, land acquisition provisions, prevailing market etc., by considering the petitioner's representation dated 03.12.2018.

|                 |                                              |
|-----------------|----------------------------------------------|
| For Petitioner  | : Mr.A.Haja Mohideen                         |
| For Respondents | : Mrs.V.P.M.Vaishnavi<br>Government Advocate |

### **ORDER**

This Writ Petition is filed to direct the respondents not to dispossess the petitioner from her house being D.No.2/837 situated at Sri Ram Nagar, Near Airport, Perungudi Post, Madurai 625 022, till the payment of entire compensation and to direct the respondents to pay suitable compensation with solacium and interest and other lawful amount if any, in the light of the Right of Fair Compensation Act, Act-10/1999 for industrial purpose, land acquisition provisions, prevailing market etc.

2.It is the case of the petitioner that though the respondents have acquired her property for the purpose of extension of commercial activities for Madurai Airport, so far no compensation has been paid to her. In this regard, she made a representation dated 03.12.2018 before the respondents seeking to pay the entire compensation. However, no action has been taken. Hence, left with no



other alternative, the petitioner is before this Court for the relief stated supra.

3.The learned counsel appearing for the petitioner would submit that in the light of the Right to Fair Compensation Act, 1997, Act-10/1999, the respondents are bound to pay suitable compensation to the petitioner for the aforesaid acquisition.

4.In reply, the learned Government Advocate appearing for the respondents would submit that by considering the petitioner's representation dated 03.12.2018, the 1<sup>st</sup> respondent had passed final orders and granted a sum of Rs.59,789/- as compensation to the petitioner for the aforesaid acquisition and that therefore, she would submit that nothing survives for further adjudication in the present writ petition.

5.In view of the submission made by the learned Government Advocate, this Writ Petition is disposed of with a direction to the 1<sup>st</sup> respondent to communicate the aforesaid final orders to the petitioner, if the same has not been sent to the petitioner already. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

**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,  
Madurai District,  
Madurai 625 020.
- 2.The Special Tahsildar (Land Acquisition),  
Airport Extension Office,  
Unit I, Campus of Madurai District,  
Collector Office,  
Madurai 625 020.

W.P. (MD) No.24289 of 2018  
27.08.2020

KB(22.09.2020) 2P 3C