

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.4015 of 2021

M/s.Beardsell Limited,
Represented by its Senior Manager - Accounts
Mr.G.Dhananjayan. ...Petitioner

-Vs-

The Competent Authority and
Special District Revenue Officer(L.A.),
N.H.47, 67 and 209,
Coimbatore - 641 045. ...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent herein to conduct enquiry and pass necessary order for payment of compensation for the remaining petitioner company's land acquired to an extent of 2 Sq.m in S.F.No.482/1A3B and 34 Sq.m on the Northern side of S.F.No.482/1B2 part and on South of S.F.No.482/1A3B in Seerapalayam Village, Madukkarai Taluk, Coimbatore District on merits within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr.LMouli
For Respondent : Mr.E.Manoharan
Special Government Pleader

सतजयते
ORDER

The petitioner's property was acquired under the provisions of National Highways Act, 1956 and an Award too came to be passed on 12.06.2020. The dispute is over 2 sq.m. in Sy.No.482/1A3B and 34 sq.mtr, north of Sy.No.482/1B2 part and south of Sy.No.482/1A3B in Seerapalayam Village, Madukkarai Taluk, Coimbatore District. This property appears to be a road in an approved layout. The issue now is, whether the petitioner has any right or interest over this property, and whether it is entitled to any compensation under the same.

2.Mr.E.Manoharan, learned Special Government Pleader takes notice for the respondent.

3.He makes a statement on instructions that the respondent herein will be holding an enquiry in this matter and added that, there is every possibility that the respondent

herein might be assigned some responsibilities associated with the ensuing General Elections to the State Legislative Assembly and hence, reasonable time may be granted.

4.The said statement of the learned Special Government Pleader is recorded.

5.The respondent is now required to hold an enquiry between the second and third week of May 2021, after the conclusion of the General Elections on 02.05.2021. He is required to give an effective hearing to the petitioner and also is required to consider every material piece of evidence that may be brought before the Authority by the petitioner as well as by the Revenue Department of the Government and dispose of the representation of the petitioner through a speaking order. In the eventuality of the respondent finding that the petitioner has any subsisting title or interest in the property in question, he is directed to pass an Award in terms of Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Tsg

To

The Competent Authority and
Special District Revenue Officer(L.A.),
N.H.47, 67 and 209,
Coimbatore - 641 045.

+1cc to Mr.L.Mouli, Advocate, S.R.No.12737.
+1cc to the Government Pleader, S.R.No.13196.

Order made in
W.P.No.4015 of 2021

PMKCO)
CSR 23.03.2021