



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.17906 OF 2021

C.Savithri

.. Petitioner

Versus

The District Revenue Officer-cum-Special Land
Acquisition Officer, Unit-II,
Airport Runway Extension Scheme,
Office of the Collectorate,
Coimbatore - 641 001.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent namely the District Revenue Officer -cum- Special Land Acquisition Officer, to consider representation of the petitioner dated 08/02/2021.

For Petitioner : Mr. V.Jayachandran

For Respondent : Mr. K.M.D.Muhilan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a writ of mandamus directing the respondent namely the District Revenue Officer -cum- Special Land Acquisition Officer, to consider representation of the petitioner dated 08/02/2021.

2. The case of the petitioner is that her husband executed a settlement deed on 14.11.2006, in favour of the petitioner, settling agricultural land, measuring an extent of 1.53 $\frac{1}{2}$ Acre in S.F. No.525, Patta No.206, Kalapatty Village, Coimbatore Taluk, Coimbatore, and another land measuring an extent of 24 $\frac{3}{4}$ Cents, in S.F. No.533/1A1, Kalapatty Village, Coimbatore Taluk, Coimbatore. In all, the land measuring 1.78 $\frac{1}{4}$ Acres was settled under the sale deed dated 14.11.2006, and registered as document No.8559/2006, in the office of the Sub-Registrar, Gandhipuram, Coimbatore. Thereafter, the petitioner husband was in possession and enjoyment of the said land after registration of the settlement deed. It is further stated on 23.10.2009, the



petitioner's husband died due to ill-health. The petitioner got patta and other revenue records changed into her name and then she was in exclusive possession and enjoyment of the said land. It is stated that during the period of her husband's grand parents, the said land was taken on lease by the Government agencies for the purpose of Airport runway and the authorities were making periodical lease rentals for the usage of the said land. Since patta and revenue records were changed in the name of the petitioner, the petitioner requested the authorities to pay the lease rentals, which were being paid to her husband's grand parents. To the shock and surprise, the petitioner received a notice dated 21.04.2011 from the District Collector, under Form-A, informing the petitioner that the land was going to be acquired for Coimbatore Airport Run-way extension. Therefore, the petitioner appeared before the authorities and produced all the records regarding ownership of the said land. It is stated that after verification, the authorities accepted the status of the petitioner as the land owner. At this stage, some third parties started to claim ownership of the land by including their name in the joint patta. Hence, the petitioner made a representation dated 26.07.2016, to the District and other Revenue Officials to remove the name of the third parties, who are illegally claiming right over the land of the petitioner. Upon conducting enquiries, the names were removed from the patta by the authorities. The grievance of the petitioner is that though she is the owner of the said land and hold patta in her name, the authorities are not making the payment of compensation for the land acquired for the purpose of Airport runway. Hence, the petitioner made a representation dated 18.12.2020, to the respondent seeking compensation for her acquired land, including to pay the arrears of lease rental. Since there was no response from the respondent, she again made a representation dated 08.02.2021. Since the same was not considered by the respondent, the petitioner filed this present writ petition seeking direction of this Court to direct the respondent to consider her representation dated 08.02.2021.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the land comprised in S.F. No.525, measuring an extent of 1.53 ½ Acres, at Kalapatty Village, Coimbatore, and she is holding patta in her name. Since the said land was acquired for the purpose of Airport runway, the petitioner is entitled for payment of compensation and arrears of lease. He further submitted that the petitioner is a destitute widow and hails from a poor agricultural family. Hence, he prays for issuing a direction to the respondent to consider the petitioner's representation dated 08.02.2021.

4. Learned Government Advocate appearing for the respondent submitted that the due to Covid pandemic the authorities were



not in a position to consider the representation of the petitioner. He further submitted that this Court may direct the respondent to consider the petitioner's representation.

5. Heard both sides and perused the materials.

6. In view of the submissions made by counsel on either side, it is seen that the said land of the petitioner has been acquired for the purpose of extension of Airport runway and the documents shows that she is the owner of the land which was acquired. The petitioner sent a representation on 18.12.2020 and the same was received by the authorities concerned. The land has been acquired in the year 2011, possession was taken and runway has also been formed and utilized by the authority. It is not fair on the part of authorities to keep quiet by not paying the compensation amount to the petitioner. Hence, this Court is of the serious view that being a widow, the petitioner cannot be put to hardships. Hence, this Court directs the respondent to consider the petitioner's representation dated 08.02.2021, and pass appropriate orders on merits and in accordance with law, after affording an opportunity to the petitioner of being heard, within a period of twelve weeks from the date of receipt of a copy of this order, without fail.

With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

bkn

To

The District Revenue Officer-cum-Special Land
Acquisition Officer, Unit-II, Airport Runway
Extension Scheme, Office of the Collectorate,
Coimbatore - 641 001.

+1cc to Mr. V.Jayachandran, Advocate, S.R.No.43534
+1cc to the Government Pleader, S.R.No.43673

W.P. No. 17906 of 2021

SSD(CO)
PM/28/10/2021