



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.14794 of 2021

WEB COPY

C.Balasingam

... Petitioner

Vs.

1. The District Collector
Ramanthapuram
Ramanathapuram District.

2. The Revenue Divisional Officer,
Revenue Office,
R.S.Mangalam Taluk,
Ramanthapuram District.

3. The Thasildar
R.S.Mangalam Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to provide compensation for the acquisition of the petitioner's land admeasuring 1 acre situate in Trichy-Rameshwaram National Highway-Keelakottai Village, Solanthur, R.S. Managalam Taluk Survey No.2/3D, 2/1G.5/1B5, 5/3A of Ramanathapuram District, by following the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by considering his representation dated 29.07.2020 and for such other reliefs within the period stipulated by this Court.

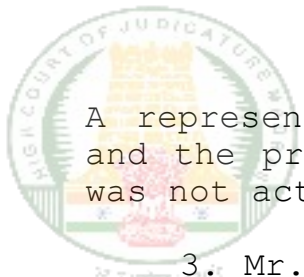
For Petitioner : Mr.Rabeek Raja

For Respondents : Mr.P.Subburaj,
Counsel for State.

ORDER

The petitioner seeks compensation for the alleged acquisition of land in Survey Nos.2/3D, 2/1G, 5/1B5, 5/3A in the Trichy to Rameshwaram National Highway Keelakottai Village, Solanthur, R.S.Mangalam Taluk, Ramanathapuram District.

2. According to the petitioner, the aforesaid lands belonged to his late father, and were inherited by the petitioner. The petitioner claims that such lands have been converted into residential plots. It is further alleged that the respondents have undertaken acquisition under Act 30 of 2013 without issuing notice to the petitioner and without publishing the requisite notification.



A representation dated 29.07.2020 was issued seeking compensation and the present writ petition is filed because such representation was not acted upon.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. On instructions, he submitted that the survey numbers specified in the petition are classified as Kaalvai in the relevant revenue records. As such, he states that the petitioner may not be entitled to compensation. Without prejudice, he submits that the petitioner's representation may be directed to be considered and disposed of on merits.

4. In the aforesaid facts and circumstances, the petitioner has failed to make out a case for issuance of any positive direction. Nevertheless, in the light of the submission by the State that his representation would be considered and disposed of on merits, an order to such effect is being issued.

5. Accordingly, without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 29.07.2020 and dispose of the same by a reasoned order within a period of four months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

6. W.P.(MD).No.14794 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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
Ramanthapuram, Ramanathapuram District.
2. The Revenue Divisional Officer,
Revenue Office,
R.S.Mangalam Taluk, Ramanthapuram District.



3. The Thasildar
R.S.Mangalam Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-26918[F] dated 23/08/2021)

W.P (MD) No.14794 of 2021
19.08.2021

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