



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15967 of 2021

R.Kalaivani

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Special Tahsildar (Land Acquisition),
Adi-Dravidar Welfare Department, Unit-I,
Madurai Collectorate Campus,
Madurai.

... Respondents

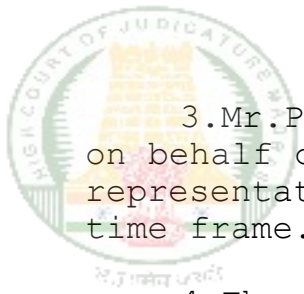
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide the compensation amount as per the order in Appeal No.3/1998 dated 26.04.2007 passed by the III Additional Sub Court, Madurai along with interest, by considering the petitioner's representation dated 27.01.2021.

For Petitioner : Mr.M.Jothivel
For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks compensation in accordance with the order passed in Appeal No.3 / 1998 on 26.04.2007 by the III Additional Sub Court, Madurai with interest thereon.

2.The petitioner states that the property bearing Survey No.20/6 of an extent of 0.69.0 Hectares situated at K.Pudhupatti, Madurai South Taluk, Madurai District was originally in the name of his mother, Mrs.Parasakthi Ammal. It is stated that the said property was acquired. Originally the compensation amount was fixed at Rs.1,184 (Rupees One Thousand One Hundred and Eighty Four only) per cent. The fixation of compensation was assailed by filing Appeal No.3 / 1998 before the III Additional Sub Court, Madurai. The petitioner states that by order dated 26.04.2007, the compensation amount was enhanced to Rs.1,900 (Rupees One Thousand and Nine Hundred only) per cent. In spite of the lapse of considerable time, it is stated that such compensation amount has not been paid to the petitioner. The petitioner also states that her representation dated 27.01.2021 was submitted in this connection.



3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the petitioner's representation may be directed to be disposed of within a reasonable time frame.

4.The Appeal before the III Additional Sub Court, Madurai has been filed by Muthukarupayee Ammal, Parasakthi Ammal and Palsamy. As such, the official respondents herein should examine the entitlement of the petitioner to receive such amount. At the same time, it should be borne in mind that the petitioner has averred that Parasakthi Ammal is her mother. Needless to say, the petitioner should submit all relevant documents in support of her claim.

5.Accordingly, without going into the merits of the matter, the petitioner is permitted to submit all relevant documents in support of the representation dated 27.01.2021 within a period of two (2) weeks from the date of receipt of a copy of this order to the second respondent. Upon receipt thereof, the second respondent is directed to consider the petitioner's representation dated 27.01.2021 and the documents filed in support thereof and issue a reasoned order within a period of three (3) months from the date of receipt of the additional documents from the petitioner. Before passing orders on the petitioner's representation, a reasonable opportunity should be provided to the petitioner and the appellants before the III Additional Sub court, Madurai or their legal heirs, as the case may be.

6.W.P.(MD).No.15967 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 III Additional Sub Court,
Madurai.

2.The District Collector,
Madurai District, Madurai.

3.The Special Tahsildar (Land Acquisition),
Adi-Dravidar Welfare Department, Unit-I,
Madurai Collectorate Campus,
Madurai.

+1 CC to M/s.N.JOTHIVEL, Advocate (SR-28640[F] dated 09/09/2021)

+1 CC to M/s.GP (SR-28681[F] dated 09/09/2021)

W.P (MD) No.15967 of 2021
08.09.2021

RS (17.09.2021) 3P 6C