



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.18067 of 2021

S.M.Chidambaram

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Special Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and pass orders by re-determining the compensation of the petitioner.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondents : Mr.K.S.Selva Ganesan
Counsel for the State

O R D E R

The petitioner seeks a direction for the determination of compensation as per the judgment dated 08.01.2021 in A.S(MD). No.235 of 2019.

2. The petitioner states that the properties owned by him under multiple survey numbers in Gangaikondan Part I Village, Tirunelveli Taluk and District were acquired by the Government of Tamil Nadu under the Land Acquisition Act, 1894. Proceedings were instituted in respect of the compensation payable for such acquisition. Eventually, by order dated 08.01.2021 in A.S(MD). No.235 of 2019, the compensation was fixed at the rate of Rs.500/- per Cent. Pursuant thereto, the petitioner made an application to the second respondent on 25.05.2021. On 16.07.2021, it is stated that the jurisdictional Revenue Divisional Officer communicated to the petitioner that the application has been forwarded to the second respondent for necessary action. The present writ petition is filed because no action was taken thereafter.

3. Mr.K.S.Selva Ganesan, learned counsel for the State,

<https://hcservices.ecourts.gov.in/hcservices/>



accepts notice on behalf of both the respondents. He submits that the second respondent may be directed to consider and dispose of the petitioner's representation after taking into account the judgment in A.S(MD).No.235 of 2019.

4. The petitioner has enclosed a copy of the judgment in A.S (MD).No.235 of 2019. Upon perusal thereof, it is evident that the compensation has been fixed at Rs.50,000/- per Acre. Therefore, it is just and necessary that the petitioner's representation be considered by taking into account the judgment in A.S(MD).No.235 of 2019.

5. Therefore, W.P(MD).No.18067 is disposed of by directing the first respondent to consider the petitioner's representation dated 25.06.2021 and dispose of the same by a reasoned order after taking into account the judgment in A.S(MD).No.235 of 2019. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Special Tahsildar,
Tirunelveli Taluk Office,
Tirunelveli.

+1 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-31579[F] dated 07/10/2021)

+1 CC to M/s.SPL.GP (SR-31549[F] dated 07/10/2021)

W.P. (MD)No.18067 of 2021

06.10.2021

DJ(CO)

SB(21.10.2021) 2P 5C