



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) Nos.22357 and 22358 of 2021

Rajasekar @ S.R.Thevar

... Petitioner in both petitions

vs.

The Arbitrator cum District Collector,
Madurai District.

... Respondent in both petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to dispose the Appeal/Modification petition for determination and compensation under the the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 based on the appeal dated 05.10.2021.

In both petitions

For Petitioner : Mr.J.Malai Raja (in both cases)

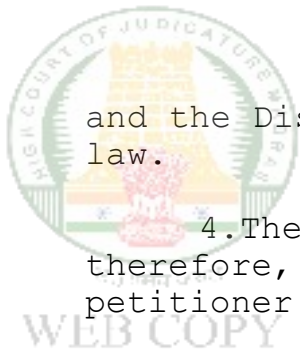
For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader
(in both cases)

COMMON ORDER

These writ petitions have been filed in the nature of Writ of Mandamus, seeking a direction to the respondent/Arbitrator cum District Collector, Madurai District to examine the Appeal/Modification petition filed by the petitioner for determination of compensation under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. The petitioner has filed separate appeals on 05.10.2021.

2.The properties of the petitioner had been acquired after notification had been issued on 19.07.2010 and 25.03.2013 and thereafter, further notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 had been initiated. After following due procedures, which are not questioned by the petitioner, an award has also been passed by the respondent on 07.03.2019 and 12.10.2020 respectively.

3.Mr.N.Satheeshkumar, learned Additional Government Pleader, appears on behalf of the sole respondent. He points out the provision under Section 8 of the aforesaid Act and stated that if there is dissatisfaction over the quantum of award granted, then the only appropriate remedy is to seek a reference to the District Court



and the District Court can examine all the issues in manner known to law.

4.The Mandamus seeking a direction to the respondent, therefore, will not lie, since the Appeal/Modification filed by the petitioner itself is not maintainable.

5.Accordingly, these Writ Petitions are dismissed. No costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

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Sub Assistant Registrar(CS)

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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

The Arbitrator cum District Collector,
Madurai District.

+1 CC to M/s.SPL GP (SR-39277[F] dated 17/12/2021)

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