



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P (MD)No.25878 of 2019

S.Govindammal

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Theni.

2.The Special District Revenue Officer,
National Highways Department (Land Acquisition),
NH-45 E & 220,
Theni.

3.The Special Tahsildar (Land Acquisition),
45 E & 220-4 Way Road,
Divisioni-1,
Palanichettipatti,
Theni District.

4.Veeru Kannaiyan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, directing the respondents 1 to 3 herein to disburse the amount of compensation to the petitioner on the basis of the order passed by the 3rd respondent dated 12.1.2017 in respect of acquisition of the petitioner's lands comprised in S.No.456/1A situated at Poothipuram, Bodinayakanoor Taluk, Theni District along with interest on the basis of the petitioner's representation dated 31.1.2017 and 16.10.2019 within the time stipulated by this Court.

For Petitioner	:	Mr.C.Jeganathan for M/s.Veera Associates
For Respondents 1 to 3	:	Mr.P.Mahendran Additional Government Pleader
For Respondent No.4	:	Mr.R.Suriyanarayanan

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents 1 to 3 to consider the representations given by the petitioner on 31.1.2017 and 16.10.2019 and disburse the compensation amount based on the order passed by



the 3rd respondent on 12.1.2017.

2. The case of the petitioner is that the subject property was purchased by the petitioner through a registered document No.613/04. The further case of the petitioner is that subsequent to the purchase, the revenue records were also mutated in his name. It is stated that acquisition proceedings were initiated and the property was acquired.

3. When it came to payment of compensation, an objection was made by the 4th respondent to the effect that the compensation amount should not be paid to the petitioner. The objection was ultimately considered by the 3rd respondent and through proceedings dated 12.1.2017, the third respondent has held that the petitioner is entitled for the payment of compensation and the objections given by the 4th respondent was rejected.

4. The petitioner thereafter made a representation to the respondents 1 to 3 for payment of compensation pursuant to the orders passed by the 3rd respondent. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.C.Jeganathan, learned counsel appearing for the petitioner, Mr.P.Mahendran, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.R.Suriyanarayanan, learned counsel appearing for the 4th respondent.

6. In the considered view of this Court, the objections given by the 4th respondent was already considered by the 3rd respondent and an order has been passed through proceedings dated 12.1.2017. As a consequence of this order, the petitioner is entitled for the payment of compensation. The subsequent representations made by the petitioner has not been considered by the respondents and the same has forced the petitioner to approach this Court.

7. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to consider the representation made by the petitioner on 16.10.2019 in line with the order passed by the 3rd respondent dated 12.1.2017 and appropriate orders for payment of compensation shall be passed within a period of six (6) weeks from the date of receipt of a copy of this order.

8. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order. A copy of the said representation shall also be marked to the 3rd respondent.



9. This writ petition is disposed of with the above directions.
No Costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

WEB 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 District Collector,
Office of the District Collector,
Theni.

2.The Special District Revenue Officer,
National Highways Department (Land Acquisition),
NH-45 E & 220, Theni.

3.The Special Tahsildar (Land Acquisition),
45 E & 220-4 Way Road,
Divisioni-1, Palanichettipatti,
Theni District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-17672[F] dated
27/04/2021)

+1 CC to M/s.SPL GP (SR-17910[F] dated 28/04/2021)

W.P (MD) No.25878 of 2019
26.04.2021

SRK(CO)
KB(12.05.2021) 3P 6C