



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 1672 of 2022

V.Pandamanabhan

...Petitioner

Vs.

1.The District Collector
collectorate, No. 7 / 1 State Bank Road,
Gopalapuram, Coimbatore- 641 018.

2.The Special District Revenue Officer
for Land acquisition for Expansion of Coimbatore Airport,
The District collector Office campus,
No. 7 /1 State Bank Road, Gopalapuram,
Coimbatore.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider and pass orders on petitioners representation dated 25.06.2021 for acquiring the entire portion of petitioners land measuring 12 cents and 261 Sq.Ft or 5488 Sq.ft and comprised in S.F. No. 16 / 1 Singhanallur village Coimbatore South Taluk Plot No.6 Subhash Chandra Bose Nagar Town Survey No.3 Ward No. 35 (Old no.59) Block No.1 Coimbatore District for the purpose of expansion of Coimbatore Airport.

For Petitioner : Mr.R.Prem Narayan

For Respondent : Mr.M.Muthusamy
Government Advocate

O R D E R

Mr.M.Muthusamy, learned Government Advocate, takes notice for respondents No. 1 and 2. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.



2. The Writ Petition has been filed seeking direction to the 2nd respondent to consider and pass orders on petitioners representation dated 25.06.2021 for acquiring the entire portion of petitioners land for the purpose of expansion of Coimbatore Airport.

3. The facts of the case are as follows:

The petitioner is the absolute owner of the vacant house site comprised in S.F.No.16/1, Singhanallur Village, Coimbatore South Taluk, Plot No.6, Subhash Chandra Bose Nagar, Town Survey No.3, Ward No.35 (Old No.59) Block No.1, Coimbatore District and measuring 12 cents & 261 sq. ft. or 5488 sq. ft.

4. It is the further case of the petitioner that the Government has issued notification under Section 3(1) of the Tamil Nadu Acquisition of Land for industrial Purposes Act 1997 for acquiring the land for the purpose of extension of Runway in Coimbatore Airport vide G.O.Ms.No.97 Transport (1.2) Department, dated 18.08.2015. Thereafter, the Government have acquired 10 cents & 303 sq. ft. or 4492 sq. ft. of petitioner's above said land leaving behind one cent and 394 sq. ft. or 830 sq. ft. of land. Hence, the petitioner made a representation dated 25.06.2021 to the respondents for acquiring the entire land in favour of the petitioner. Since no action was taken so far, the present petition has been filed before this Court seeking appropriate remedy.

5. The learned counsel for the petitioner submitted that there is no permission to construct any building in the unacquired land portion of the petitioner and the said land become unusable. Therefore, this Court may issue a direction to the second respondent to consider the petitioner's representation and pass appropriate orders within the stipulated time as fixed by this Court.

6. On the other hand, the learned Government counsel submitted that the second respondent will be considered the representation of the petitioner and appropriate orders will be passed on merits within the time frame to be fixed by this court.

7. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents and perused the materials available on record.

8. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, the second respondent is directed to consider the representation of the petitioners' dated 25.06.2021 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



9. With the above direction, the writ petition stands disposed of. No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

rli

To

1. The District Collector
collectorate, No. 7 / 1 State Bank Road,
Gopalapuram, Coimbatore- 641 018.
2. The Special District Revenue Officer
for Land acquisition for Expansion of Coimbatore Airport,
The District collector Office campus,
No. 7 /1 State Bank Road, Gopalapuram,
Coimbatore.

+1cc to Government Pleader SR. No.8358

+1cc to Mr.R.Prem Narayan, Advocate SR. No.7623

W.P. No. 1672 of 2022

PMK (CO)

PR (23/02/2022)