



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.8672 of 2015

S.Allabhakshi

... Petitioner

Vs.

- 1 The District Collector
Perambalur District, Perambalur.
- 2 The Special District Revenue Officer,
Competent Authority (L.A),
Old Collectorate, Trichy.
- 3 The Special Tahsildar(LA),
45 3rd Main Street, Ponnagar, Trichy-1.
- 4 The Project Director,
National Highways Department,
Ministry of Road Transport & Highways,
New No.6 Old No.44 First Floor,
III Main Road Pon Nagar,
Trichy-620 001.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the 1st respondent to consider the petitioner's appeal dated 28.2.2014 and pass an appropriate order on merits in accordance with law for awarding the appropriate compensation to the value of the entire well situated in Valikandapuram Village, Veppanthattai Taluk, Perambalur District bearing Survey No.362/2A measuring 592 sq.mt. within the stipulated period as fixed by this Honourable Court.

For Petitioners: Mr.V.R.Venkatesan

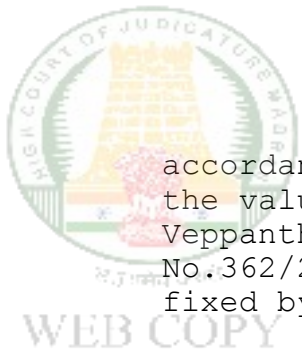
For Respondent : Mr.Yogesh Kannadasan, SGP RR1 to 3

Mrs.C.S.Sreenidhi

For M/s.P.Wilson Associates R4

O R D E R

This Writ Petition has been filed seeking a direction to the 1st respondent to consider the petitioner's appeal dated 28.2.2014 and pass an appropriate order on merits and in



accordance with law for awarding the appropriate compensation to the value of the entire well situated in Valikandapuram Village, Veppanthattai Taluk, Perambalur District bearing Survey No.362/2A measuring 592 sq.mt. within the stipulated period as fixed by this Honourable Court.

2. The case of the petitioner is that he is the owner of the property in S.No.362/2A measuring to an extent of 592 sq. mtrs. Situated at Valikandapuram village, Veppanthattai Taluk, Perambalur District. The said land was acquired by the third respondent for the purpose of forming four way lanes. After completing the necessary formalities, the second respondent vide his proceedings in Na.Ka.No.A1/159/2006 dated 06.12.2006, passed an award and issued a cheque to the petitioner. Challenging the award, the petitioner has preferred an appeal before the first respondent on 28.02.2011 to enhance the compensation. Till date, the same is pending and hence, the petitioner filed the present writ petition before this Court seeking appropriate remedy.

3. The learned counsel for the petitioner submitted that he is a poor agriculturist and having small extent of lands for cultivation. The Highway authorities have laid the road on the acquired land. Due to which, it is not possible for the petitioner to utilize the well for irrigation. The 3rd respondent, while calculating the compensation for the well, are very meager, for which, the petitioner filed appeal as against the award dated 06.12.2006 and the same is pending. Therefore, this Court may issue a direction to the first respondent to consider the petitioner's appeal and pass appropriate orders within the time frame as fixed by this Court.

4. Heard the learned counsel for both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case and the limited request made by the petitioner, this Court directs the first respondent to consider the appeal made by the petitioner, after providing opportunity to the petitioner and pass necessary orders in this regard on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



WEB COPY

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+1cc to M/s.P.Wilson, Advocate, S.R.No.35253

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PMK(CO)
CT/30/06/2022