



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.10785 OF 2022

V.Kalarani

... Petitioner

Vs.

1. The District Collector,
Cuddalore District, Cuddalore.
2. The Special District Revenue Officer/Competent
Authority (Land Acquisition), NH 227,
Cuddalore.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider and pass orders on merits by disposing the written representation made by the petitioner on 03.06.2019 within a stipulated time as fixed by this Court.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

O R D E R

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the first respondent to consider and pass orders on merits, by disposing of the written representation made by the petitioner on 03.06.2019 within a stipulated time as may be fixed by this Court.

2. The case of the petitioner is that she is the owner of the properties in S.Nos.32/4, 32/5B, 33/4, 33/5B, 33/7B1 &



33/7B2 situated in Kuppupillaichavadi, Kattumannakoil, Cuddalore District. While so, the said lands were acquired by the second respondent for the purpose of laying National Highways Road. However, the second respondent, without considering the market value prevailing in that area, fixed a meager amount of compensation. Therefore, the petitioner made a representation dated 03.06.2019 before the first respondent, seeking to fix higher compensation invoking provisions of Section 13 of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, till date, the petitioner's representation was not considered by the first respondent. Hence, she has filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the first respondent to consider the petitioner's representation dated 03.06.2019 and pass orders on merits, within a particular time frame to be fixed by this Court.

4. The learned Government Advocate appearing for respondents has no objection for said order being passed.

5. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the first respondent to consider the said representation of the petitioner dated 03.06.2019 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Cuddalore District, Cuddalore.
2. The Special District Revenue Officer/Competent
Authority (Land Acquisition), NH 227,
Cuddalore.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.29889

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AJB (CO)
PM/01/06/2022