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W.P. No. 28043 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 28043 of 2022

A. Saleem

... Petitioner

Versus

1. The District Collector cum Arbitrator
District Collector Office
Villupuram.

2. The Special District Revenue Office
Land Acquisition
National Highways
Villupuram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's appeal dated 19.07.2022 pertaining to the property bearing Old Survey Nos.294/1B (New No.294/1B1A) located at Kandamanadi Revenue Village, Villupuram Taluk and District, admeasuring 388 sq.mts., within a time frame.

For Petitioner : Mr.P.J. Rishikesh

For RR 1&2 : Mr.K.M.D. Muhilan,
Government Advocate



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ORDER

This writ petition is filed for issuance of Writ of Mandamus, directing the 1st respondent to dispose of the appeal, dated 19.07.2022 filed by the petitioner against the award passed by the 2nd respondent vide proceedings in Na.Ka.C/They.Ney.45A/348/2018, dated 31.08.2021 preferred before the 1st respondent within a stipulated period.

2. According to the petitioner, the petitioner's property was initiated acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, bearing Old Survey Nos.294/1B (New No.294/1B1A) located at Kandamanadi Revenue Village, Villupuram Taluk and District ad-measuring 388 sq.mts. Thereafter, the petitioner had submitted his objections and detailed explanations claiming compensation at Rs.2,000/- per sq.ft. However, the 2nd respondent without considering any of the objections had arrived at the value of Rs.397/- per sq.mt., without considering the documents filed by the petitioner and passed an award dated 31.08.2021, clearly states that the petitioner has to approach the 1st respondent, namely, the Collector cum Arbitrator if any grievance is found in the Award. Against



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which, the petitioner had preferred an appeal before the first respondent on 19.07.2022, till date, the 1st respondent has not passed any order on the appeal preferred by the petitioner. Hence this petition.

3. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for respondents 1&2 and perused the materials available on record.

4. Having regard to the limited scope of the prayer, this Court is inclined to pass the following order:-

The first respondent/District Collector-Arbitrator is directed to dispose of the appeal dated 19.07.2022 filed by the petitioner as against the award passed by the 2nd respondent vide proceedings in Na.Ka.C/They.Ney.45A/348/2018, dated 31.08.2021 within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of . No costs.

20.10.2022

Index : Yes / No

Speaking order : Yes / No

msm

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Villupuram.
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M.DHANDAPANI, J.

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