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W.P.No.31494 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.No.31494 of 2022

M.Saravanan

... Petitioner

Vs.

1.The District Collector,
District Collector's Office,
Tiruvannamalai District.

2.The Special District Revenue Officer,
(Land Acquisition),
National Highway – 66,
Vizhupuram.

3.The Revenue Divisional Officer,
District Collector's Office,
Tiruvannamalai District.

Respondents

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to dispose the Appeal No.29 of 2013 M.1/33120/2013 within the stipulated time fixed by this Court.

For Petitioners : Mr.A.Srinivasan



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For Respondents : Mr.S.Balamurugan
Government Advocate

ORDER

This Writ Petition have been filed by the petitioner to direct the 1st respondent to dispose the Appeal No.29 of 2013 M.1/33120/2013 within the stipulated time fixed by this Court.

2.The case of the petitioner is that the property comprised in S.No.139/1A3, 139/1A4 measuring an extent of 2,250 Sq.ft was self acquired property vide registered Doc.No.4620 of 2012 dated 25.07.2012 before the SRO, Chengam and the same was acquired under the land acquisition proceedings for laying bypass road in National Highways No.66 (Tindivanam – Krishnagiri Section). Thereafter, an Award was passed vide proceedings No.Na.Ka.A/TaMaVa/NA/DaNo/638/2010 dated 30.01.2013 by the 2nd respondent. Subsequentl, to the said order, the petitioner preferred an appeal vide Appeal No.29 of 2013 M.1/33120/2013 on 21.05.2013. Pursuant to the filing of the appeal, the 1st respondent herein issued a summon dated 22.07.2015 directing the respondent to appear before him on 21.09.2015. Thereafter, the petitioner



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appeared before the 1st respondent for all the hearing, however, the said appeal was not decided. The petitioner gave several representations including the one on 26.02.2021, but, till date, petitioner's representation was not considered. Hence, the present Writ Petition.

3.Learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 26.02.2021 to dispose the Appeal No.29 of 2013 M.1/33120/ 2013 and pass orders on the same within a particular time frame fixed by this Court.

4.Mr.S.Balamurugan, learned Government Advocate appearing for the respondents submits that if any direction is given by this Court, the same will be complied with.

5.In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 1st respondent to consider the petitioner's representation dated 26.02.2021 to



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dispose the Appeal No.29 of 2013 M.1/33120/ 2013, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, this Writ Petition is disposed of. No costs.

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Index: Yes/No
Internet: Yes/No
gba

To

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M.DHANDAPANI, J.

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