



W.P.No.31489 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.31489 of 2022

M.Rangammal

... Petitioner

Vs.

1.The District Collector,
The Office of the District Collectorate,
Coimbatore – 641 018.

2.The District Revenue Office/ Land Acquisition Officer,
Office of the District Collector,
Coimbatore – 641 018.

3.The Tahsildar,
Sulur Taluk,
Coimbatore.

... 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 consider the petitioner's representations dated 09.05.2021, 12.07.2021, 23.05.2022, 24.05.2022 and 20.06.2022.

For Petitioners : Mr.K.Suhasini

For Respondents : Mr.K.Karthik Janannath



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W.P.No.31489 of 2022

Government Advocate

ORDER

This Writ Petition have been filed by the petitioners to direct the 1st respondent to consider the petitioner's representations dated 09.05.2021, 12.07.2021, 23.05.2022, 24.05.2022 and 20.06.2022.

2.The case of the petitioner is that the property situated at S.No.76/6 in Rasipalayam Village, Sulur Taluk, Coimbatore bearing Patta No.269 measuring an extent of 1700 Sq.Meter belongs to the petitioner by virtue of a Settlement Deed by the petitioner's father namely Ramanagownder, registered as Doc.No.2602 of 1987 dated 30.11.1987. From the date of settlement, the petitioner is in absolute possession and enjoyment of the property. While so, the 2nd respondent acquired the aforesaid land under the Tamil Nadu Highways Act, 2001,to construct a rail over bridge at level crossing 142-A in Sulur railway station and public notice was issued on 13.01.2018 in Tamil daily “Makkal Kural” and in English daily “Trinity Mirror”. A modified notification was published on 08.08.2018. while so, the petitioner received a show cause notice dated 18.09.2020 from the 2nd respondent in Na.Ka.No.16783/2015/oo5. Thereafter, the petitioner appeared before the 2nd respondent



W.P.No.31489 of 2022

WEB COPY

on 22.09.2020 and submitted her objection regarding the re-fixation of the compensation amount as the same was very meager. Therefore, the petitioner made several representations dated 09.05.2021, 12.07.2021, 23.05.2022, 24.05.2022 and 20.06.2022 to the 1st respondent for enhancement of compensation towards the acquisition of the aforesaid lands. However, the same was not considered. Hence, the present Writ Petition

3.The learned counsel for the petitioners submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representations dated 09.05.2021, 12.07.2021, 23.05.2022, 24.05.2022 and 20.06.2022 to the 1st respondent for enhancement of compensation towards the acquisition of the aforesaid lands within a particular time frame fixed by this Court.

4.Learned Government Advocate appearing for the respondents submits that that if any direction is given by this Court, the same will be complied with, within a particular time frame fixed by this Court.



W.P.No.31489 of 2022

WEB COPY

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 petitioners representations dated 09.05.2021, 12.07.2021, 23.05.2022, 24.05.2022 and 20.06.2022 for enhancement of compensation towards the acquisition of the aforesaid lands, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

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

25.11.2022

Index: Yes/No

Internet: Yes/No

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To

1.The District Collector,
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2.The District Revenue Office/ Land Acquisition Officer,



W.P.No.31489 of 2022

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W.P.No.31489 of 2022

M.DHANDAPANI, J.

gba

W.P.No.31489 of 2022

25.11.2022