



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2022

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.2953 of 2022

1.P.Lakshmi

2.N.Subramanian

... Petitioners

/Vs./

The Land Acquisition Officer/
District Revenue Officer,
Collectorate Campus,
Ramanathapuram.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to refer the objection of the petitioner dated 05.01.2021 to the Civil Court for enhanced compensation under Section 20 of the Tamil Nadu Highways Act, 2001.

For Petitioners	:	Mr.C.T.Perumal
For Respondent	:	Mr.T.Amjad Khan Government Advocate

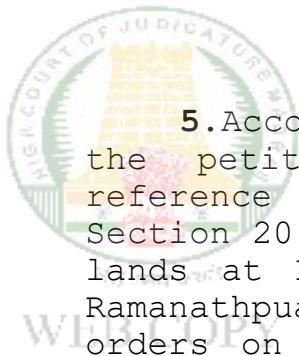
ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to refer to the objection dated 05.01.2021 to the Civil Court for enhancement of compensation under Section 20 of the Tamil Nadu Highways Act, 2001 and pass orders within a timeframe to be fixed by this Court.

2.It is the case of the petitioners that their lands were acquired and an award has been passed by the respondent, under which compensation has been determined. According to the petitioner, they are not satisfied with the compensation amount and hence, they have given a representation dated 05.01.2021 seeking for enhancement of compensation under Section 20 of the Tamil Nadu Highways Act, 2001. Since the representation has not been considered till date, they have filed this writ petition.

3.Heard Mr.C.T.Perumal, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondent/Land Acquisition Officer.

4.No prejudice would be caused to the respondent, if the petitioners' representation seeking for enhancement of compensation under Section 20 of the Tamil Nadu Highways Act, 2001, by Civil Court is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.



5. Accordingly, this Court directs the respondent to consider the petitioners' representation dated 05.01.2021 seeking for reference to the Civil Court for enhancement of compensation under Section 20 of the Tamil Nadu Highways Act, 2001, in respect of their lands at R.S.No.166/4, Melaparthibanur Village, Paramakudi Taluk, Ramanathpuarm District admeasuring 0.40.50 ares and pass final orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner.

6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Land Acquisition Officer/District Revenue Officer,
Collectorate Campus,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-6440[F] dated 15/02/2022)

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-6283[F] dated 15/02/2022)

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(2/2)

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AP (26.02.2022) 2P 4C