



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3175 of 2022

WEB COPY

P.Nayanar@Nayenan

... Petitioner

/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 dated 05.01.2021 to the Civil Court for enhanced compensation under Section 20 of the Tamil Nadu Highways Act 2001.

For Petitioner : Mr.C.T.Perumal

For Respondent : Mr.M.Lingadurai,
Special Government Pleader.

ORDER

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

2.The petitioner, unsatisfied with the compensation passed by the respondent determining the compensation payable to him for the lands belonging to the petitioner acquired by them, has requested the respondent to refer to the Civil Court under Section 20 of the Tamil Nadu Highways Act, 2001 to enable the petitioner for enhanced compensation. Since the said representation has not been considered till date, he has filed this writ petition.

3.Heard Mr.C.T.Perumal, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondent/Land Acquisition Officer.

4.The petitioner, unsatisfied with the determination of the compensation amount under the award dated 31.10.2020, has given a representation dated 05.01.2021 for reference to the Civil Court for higher compensation, under Section 20 of the Tamil Nadu Highways Act, 2001.



5.No prejudice would be caused to the respondent, if the representation dated 05.01.2021 given by the petitioner is considered on merits and in accordance with law.

6.Accordingly, this Court directs the respondent to consider the petitioner's 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, for the purpose of enabling the petitioner to get higher compensation than what was determined under the award 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.

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

Sd/-

Assistant Registrar (Records)

// 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.C.T.PERUMAL, Advocate (SR-7195[F] dated 18/02/2022)

+1 CC to M/s.SPL GP (SR-7451[F] dated 21/02/2022)

order made in

W.P. [MD]No.3175 of 2022

Dated:

18.02.2022

CK (CO)

GC (02.03.2022) 2P 4C