



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7348 of 2022

and

W.M.P. (MD)No.5574 of 2022

WEB COPY

Ravalak Gounder

... Petitioner

/Vs./

1.The District Collector,
Dindigul District, Dindigul.

2.The Authorized Officer cum Special
District Revenue Officer (Land Acquisition),
National High ways 785E,
Madurai, Madurai District.

3.The Special Tahsildar,
Land Acquisition, Natham Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.04.2021 seeking to award compensation for the petitioner acquired trees within the period that may be stipulated by this Court.

For Petitioner : Mr.K.R.Badurus Zaman
For Respondents : Mr.M.Lingadurai,
Special Government Pleader.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 02.04.2021, seeking compensation in respect of the trees, which were acquired by the second and third respondents.

2.According to the petitioner, the land belonging to him was acquired by the second and third respondents and the compensation was earlier determined. According to the petitioner, though compensation was paid for 24 coconut trees, the respondents failed to pay compensation for the remaining 18 coconut trees. In such circumstances, he has given a representation on 02.04.2021, seeking for compensation for the 18 coconut trees. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.



3. Heard Mr.K.R.Badurus Zaman, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. At the outset, the learned Special Government Pleader appearing for the respondents, would submit that the petitioner has not given any representation to the first respondent, who is the competent authority to decide the petitioner's representation.

5. The learned Counsel appearing for the petitioner, on instructions, submits that the petitioner is willing to give a fresh representation to the first respondent.

6. No prejudice would be caused to the respondents, if the representation of the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

7. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the first respondent, within a period of one (1) week from the date of receipt of a copy of this order, seeking compensation in respect of 18 coconut trees, for which compensation has not been earlier paid. On receipt of the same, the first respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve [12] weeks thereafter.

8. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Dindigul District, Dindigul.

2. The Authorized Officer cum Special
District Revenue Officer (Land Acquisition),
National High ways 785E,
Madurai, Madurai District.



3.The Special Tahsildar,
Land Acquisition, Natham Taluk,
Dindigul District.

+1 CC to M/s.K.R. BADURUS ZAMAN, Advocate (SR-19634[F] dated
20/04/2022)

+1 CC to M/s.SPL.GP (SR-20122[F] dated 21/04/2022)

W.P. [MD]No.7348 of 2022

20.04.2022

MGJ(05.05.2022) 3P 6C