



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7733 of 2022

WEB COPY

Sundarathal

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Revenue Officer (LAO),
Dindigul-Pollachi Four Laning and
Widening of NH 209,
National Highways, Collector's Office,
Dindigul.

3.The Special Tahsildar (Land Acquisition),
National Highways No.209,
Unit-III, Nethaji Nagar,
Palani, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to refer the petitioner's application dated 07.03.2022 for determination of compensation by the appropriate authority under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

For Petitioner
For Respondents

: Mr.T.Lenin Kumar
: Mr.T.Amjad Khan
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to refer the petitioner's application dated 07.03.2022 for determination of compensation by the appropriate authority under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [hereinafter referred to as 'the Act'] and pass final orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that she is unsatisfied with the quantum of compensation determined by the competent authority. In such circumstances, the petitioner has submitted an application on 07.03.2022 to the first respondent under Section 64 of the Act,



requesting the first respondent to refer the petitioner's application for determination of enhanced compensation to the appropriate authority as per the said Section. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

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3. Heard Mr.T.Lenin Kumar, learned Counsel appearing for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents.

4. The petitioner has filed documents along with this writ petition including her application dated 07.03.2022 filed under Section 64 of the Act. It is for the respondents to consider the same on merits and in accordance with law after affording a fair hearing to the petitioner.

5. No prejudice would be caused to the respondents if the petitioner's application is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 07.03.2022 seeking for reference of the claim for enhanced compensation to the appropriate authority as per the provisions of Section 64 of the Act and pass final orders on merits and in accordance with law within a period of thirty [30] days from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner.

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

Sd/-

Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar (CS)

MR

To

1. The District Collector,
Dindigul District, Dindigul.

2. The District Revenue Officer (LAO),
Dindigul-Pollachi Four Laning and
Widening of NH 209,
National Highways, Collector's Office,
Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Special Tahsildar (Land Acquisition),
National Highways No.209,
Unit-III, Nethaji Nagar,
Palani, Dindigul District.

+1 CC to M/s.P.T. RAMESH RAJA, Advocate (SR-20645[F] dated
22/04/2022)

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-20911[F] dated
25/04/2022)

+1 CC to M/s.SPL.GP. (SR-21173[F] dated 26/04/2022)

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22.04.2022

MGJ(17.05.2022) 3P 7C