



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8117 of 2022

S.Subha

... Petitioner

Vs.

1. The District Collector,
O/o. the District Collector,
Collectorate Campus, Karur,
Karur District.
2. The Deputy General Manager,
Power Grid Corporation of India Limited,
400/230 K.V.Sub Station,
Coimbatore Main Road,
K.Paramathi Post,
Karur-639 111.
3. The Assistant Director,
Agriculture, K.Paramathi,
Karur District-639 111.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pay the determined compensation awarded by the third respondent vide letter dated 10.02.2020 in Letter Number. 100/2019.2020 for S.Nos.177-2B, 174-3 at Velampalayam, Munnur Village, Karur District and by considering the petitioner's representation dated 28.11.2016.

For Petitioner : Mr.Mohammed Abbas

For Respondents : Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a
direction to the second respondent to enhance the compensation
<https://hcservices.courts.gov.in/hcservices/>



amount for the trees belonging to the petitioner damaged by the second respondent while laying underground cables, based on the petitioner's representation dated 28.11.2016, within a time frame to be fixed by this Court.

2. According to the petitioner, the third respondent by his letter dated 10.02.2020 has determined the compensation payable to the petitioner in respect of the trees damaged at S.No.177-2B, 174-3 situated at Velampalayam, Munnur Village, Karur District which is owned by the petitioner on account of laying of underground cables by the second respondent. Till date, the compensation amount as determined by the third respondent has not been paid. In such circumstances, the petitioner has filed this writ petition.

3. Heard Mr. Mohammed Abbas, learned Counsel appearing for the writ petitioner and Mr. D. Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4. At the outset, learned Additional Government Pleader appearing for the respondents would submit that the representation given by the petitioner is of the year 2016 and therefore, the petitioner will have to give a fresh representation seeking for payment of compensation as determined by the third respondent in his letter dated 10.02.2020.

5. Learned Counsel for the petitioner submits that the petitioner is agreeable to send a fresh representation. The said statement is also recorded.

6. No prejudice would be caused to the respondents if the petitioner's representation seeking for payment of compensation as determined by the third respondent in his letter dated 10.02.2020 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 seeking for payment of compensation as per the compensation determined by the third respondent in his letter dated 10.02.2020 within a period of two [2] weeks from the date of receipt of a copy of this order. After receipt of the said representation, the first respondent shall forward the same enclosing the recommendation given by the third respondent by his letter dated 10.02.2020 to the second respondent and the second respondent on receipt of the same shall pay the compensation amount to the petitioner within a period of twelve [12] weeks from the date of the communication of the first respondent.



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

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

/ /2022

Sub Assistant Registrar (CS)

MR

To

1. The District Collector,
O/o. the District Collector,
Collectorate Campus, Karur,
Karur District.
2. The Assistant Director,
Agriculture, K.Paramathi,
Karur District-639 111.

+1 CC to M/s.SPL.GP. (SR-21896[F] dated 27/04/2022)

ORDER MADE IN
W.P.[MD]No.8117 of 2022
26.04.2022

USK/19.05.2022/3P/4C