



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8118 of 2022

A.Nachimuthu

... 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 Joint Director, Agriculture,
Collectorate Complex,
Karur.

... Respondents

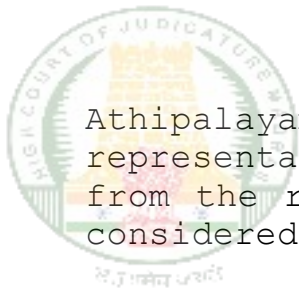
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pay the enhanced compensation in S.No.324/2c, Athipalayam Village, Karur District and by considering the petitioner's representation dated 17.10.2016.

For Petitioner	: Mr.Mohammed Abbas
For R-1 & R-3	: Mr.D.Sasikumar
	Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for payment of compensation for the trees damaged for the laying of underground cables by the second respondent in the petitioner's property based on the petitioner's representation dated 17.10.2016, within a time frame to be fixed by this Court.

2. According to the petitioner, several trees belonging to him were damaged on account of laying of underground cables by the second respondent in his property at Survey No.324/2c situated at



Athipalayam Village, Karur District. The petitioner has given a representation on 17.10.2016, seeking for payment of compensation from the respondents. Since the said representation has not been considered till date, this writ petition has been filed.

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. The petitioner has filed documents / orders along with this writ petition to substantiate his claim for payment of compensation for the alleged damage done to his trees by the second respondent while laying underground cables in his property. It is for the respondents to consider the same on merits and in accordance with law. The petitioner has given a representation on 17.10.2016 seeking for compensation for the damaged trees.

5. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner. Since the representation is of the year 2016, this Court deems it fit to direct the petitioner to submit a fresh representation.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the first respondent seeking for payment of compensation for the damaged trees at Survey No. 324/2c situated at Athipalayam Village, Karur District, within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent shall forward its recommendations to the second respondent for payment of the compensation. The respondents 1 and 2 are directed to pass final orders on the petitioner's representation within a period of twelve [12] weeks from the date of receipt of the petitioner's fresh representation.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



To

1. The District Collector,
O/o. the District Collector,
Collectorate Campus, Karur,
Karur District.
2. The Joint Director, Agriculture,
Collectorate Complex,
Karur.

+1 CC to M/s.SPL.GP. (SR-21900[F] dated 27/04/2022)

ORDER MADE IN
W.P.[MD]No.8118 of 2022
26.04.2022

USK/19.05.2022/3P/4C