



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.3084 of 2014

I.Madasamy

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Special Tahsildar,
(Land Acquisition),
South Neighborhood Scheme - Unit 1,
Madurai - 625 020.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to refer before the competent Court for enhancement of compensation under Section 18 of the Land Acquisition Act in view of the direction of this Court in W.P.(MD)No.3641 of 2008, dated 04.11.2008 by considering the petitioner's representation dated 02.01.2014 within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed seeking for a direction to the first respondent to refer to the competent Court for enhancement of compensation under Section 18 of the Land Acquisition Act by considering the petitioner's representation dated 02.01.2014.

2.According to the petitioner, subject lands were acquired from the petitioner and in his representation, dated 02.01.2014, he requested the respondents to refer the matter under Section 18 of the Land Acquisition Act to the competent Court concerned. Since the representation dated 02.01.2014, has not been considered till date, the petitioner has approached this Court.



3.Heard Mr.A.Haja Mohideen, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

4.No prejudice will be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law. A similarl direction was also issued by this Court on 04.11.2008 in W.P.(MD).No.3641 of 2008, which has also been filed in the typed set of papers in support of this petition.

5.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation, dated 02.01.2014, seeking for reference under Section 18 of the Land Acquisition Act, with regard to the lands acquired from him and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6.With the aforesaid directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// 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

1.The District Collector, Madurai District, Madurai.

2.The Special Tahsildar, (Land Acquisition),
South Neighborhood Scheme - Unit 1,
Madurai - 625 020.

+1 CC to M/s.SPL GP (SR-4718[F] dated 08/02/2022)

W.P (MD) .No.3084 of 2014

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