



W.P(MD)No.22.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22489 of 2022

V.Raja

..Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep. by its Secretary to the Government,
Public Works Department,
St. George Fort,
Chennai-600 005.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer/
Land Acquisition Officer,
O/o.The Revenue Divisional Office,
Thirumangalam Division,
Madurai District.
- 4.The Special Tahsildar (Land Acquisition),



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Nilaiyur Channel Extension Scheme,
Madurai.

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5.The Tahsildar,

Thirupparankundram Taluk,

Madurai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the fourth respondent to award adequate compensation to the petitioner with 12% interest in respect of the lands measuring to the extent of 5 Cents 209 Sq.ft. bearing Re-Survey No.80/6 in Plot No.249 situated in Valaiyankulam Village, Thirupparankundram Taluk, Madurai District, which was acquired by the fourth respondent for the purpose of Nilaiyur Channel Extension Scheme by considering the representation of the petitioner dated 20.07.2022 within a stipulated time as may be fixed by this Court.

For Petitioner

:Mr.A.Mohan

For R1 to R5

:Mrs.K.Chistry Theboral

Additional Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the fourth respondent to award adequate compensation to the petitioner with 12% interest in respect of the lands measuring to an extent of 5 Cents 209 Sq.ft. bearing Re-Survey No.80/6 in Plot No.249 situated in Valaiyankulam Village, Thirupparankundram Taluk, Madurai District, which was acquired by the fourth respondent for the purpose of



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Nilaiyur Channel Extension Scheme by considering the representation of the petitioner dated 20.07.2022 within a stipulated time as may be fixed by this Court.

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2.Heard Mr.A.Mohan, learned Counsel appearing for the petitioner, Mrs.K.Christy Theboral, learned Additional Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner had purchased a land measuring to an extent of 5 Cents 209 Sq.Ft. comprised in Re-Survey No.80/6 in Plot No.249 situated in Valaiyankulam Village, Madurai South Taluk, Madurai District by the registered sale deed dated 30.09.1999 from on M.V.Natarajan, S/o.Vengittiyan Chettiar for an adequate consideration and it was registered before the Sub-Registrar, Madurai South vide Document No.8543/1999 and he is valid and absolute rights over the above property. While being so, the first respondent had initiated the land acquisition proceedings for the purpose of extending Nilaiyur Channel by the proceedings dated 26.10.2006 in G.O.Ms.No.204 Public Works Department. Accordingly, the fourth respondent had acquired 4.41.50 hectares of land in total in Valaiyankulam Reach-I, Thirupparankundram Taluk, Madurai District for the said Nilaiyur Channel Extension Scheme. The fourth respondent had also acquired his land for the above said scheme and it was notified in the G.O.Ms.204, dated



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26.10.2006. Since the patta was stood in the name of his vendor's vendor namely Arumugam, his name was mentioned in the said notification. But the land acquisition officer/fourth respondent has failed to issue any notice to the petitioner to ensure the acquisition proceedings and for payment of compensation. Therefore, the petitioner has given a representations on 28.01.2008 and 14.07.2016 respectively and he has requested to award adequate compensation for the land acquired by the fourth respondent for the above said scheme. But, without awarding any compensation, the respondents are dragging on the issue for several years together. Thereafter, the petitioner submitted a representation to the respondents on 20.07.2022 to complete the acquisition process and to award adequate compensation to him at the earliest. The land acquisition proceeding has been initiated in the year 2006 and as of now, it lapses hardly 16 years, but no award has been passed till date by the authority concerned. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents would submit that appropriate direction may be given to the respondents to consider the petitioner's representation in accordance with law, within a time frame.



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5. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the fourth respondent to consider the petitioner's representation, dated 20.07.2022 and pass appropriate orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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