



W.P.No.26939 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26939 of 2021
and W.M.P.No.28376 of 2021

G.Munirathinam

...Petitioner

Vs.

- 1.The District Collector,
Dharmapuri – 636 705.
- 2.The Competent Authority and
Special District Revenue Officer,
[Land Acquisition],
National Highways No.844,
Dharmapuri, Dharmapuri District.
- 3.The Special Tahsildar,
National Highways No.844, Unit 2 Office,
Theerthagirinagar, Palacode,
Dharmapuri District.
- 4.The Project Director,
National Highways No.844,
National Highways Commission,
Near L.I.C. Office,
Krishnagiri.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation dated 06.08.2021 and 10.09.2021 in person to award compensation for entire 45 coconut trees standing on the petitioner's land comprised in lands in SF.No.366/7B2 in Jakasamudram Village, Palakodu Taluk, Dharmapuri District, over an extent of 4298 sq.metres and pay the proper compensation within the stipulated period.

For Petitioner	:	Ms.S.Menaka for Mr.M.Muthappan
For R1 to R3	:	Mr.G.Krishna Raja Additional Government Pleader
For R4	:	Mr.Su.Srinivasan Standing Counsel

ORDER

The relief sought for in the present writ petition is to direct the the respondents 2 and 3 to consider the petitioner's representation dated 06.08.2021 and 10.09.2021 to award compensation for the entire 45 coconut trees standing on the petitioner's land comprised in lands in SF.No.366/7B2 in Jakasamudram Village, Palakodu Taluk, Dharmapuri District, over an extent of 4298 sq.metres and pay the proper compensation within the stipulated period.



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2.It is not in dispute that the land belonging to the petitioner was acquired and an award was passed determining the compensation. However, the learned counsel for the petitioner made a submission that the compensation for coconut trees was determined but not paid. Thus the petitioner submitted a representation which was not considered.

3.Under the provisions of the Land Acquisition Act, the authorities are bound to grant compensation for the coconut trees also. The petitioner states that 45 coconut trees are standing in the petitioner's land which was acquired. That being the factum, the respondents are directed to assess the value of the coconut trees by following the procedures as contemplated under the Land Acquisition Act, determine the compensation and settle the same in favour of the writ petitioner in accordance with the Land Acquisition Act within a period of eight weeks from the date of receipt of a copy of this order.



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Consequently, connected miscellaneous petition is closed.

07.09.2023

cse

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order



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To

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S.M.SUBRAMANIAM, J.

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