



WEB COPY

W.P.No.27099 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.27099 of 2023

S.Sivaraj

... Petitioner

vs.

1.The District Collector & Arbitrator,
Dharmapuri District.

2.The Competent Authority & District Revenue Officer,
Land Acquisitions NH-844,
Dharmapuri District.

3.The Special Tahsildar,
Land Acquisitions NH-844 (Unit-II),
Dharmapuri District.

4.The Village Administrative Officer,
Virupatchipuram Village,
Dharmapuri District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the first respondent to consider the petitioner's appeal dated 30.06.2022, for enhancement of compensation awarded in Roc.20/2018/(LA) dated 07.04.2022 for petitioner's lands in survey no.498/2B1C of an extent of 40 Sq.mtrs, situated at



Virupautchipuram Village, Palacode, Dharmapuri District within a stipulated time.

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For Petitioner : Mr.E.Udayasankar

For Respondents : Mr.P.Gurumathan,
Additional Government Pleader

ORDER

This petition has been filed for a mandamus seeking for a direction to the first respondent to consider the appeal filed by the petitioner on 30.06.2022 which is pending before the first respondent.

2. Learned counsel for the petitioner would submit that the award was passed on 07.04.2022. Thereafter, the petitioner filed an appeal before the first respondent on 30.06.2022. The petitioner was summoned and he had appeared and also made his submissions and so far the first respondent has not disposed of the appeal.

3. Heard both sides and perused the materials available on record.

4. Admittedly, the award was passed by the second respondent on



07.04.2022. Challenging the same, the petitioner has filed an appeal before the first respondent and the same is pending from 30.06.2022 i.e., more than one year. The purpose of the appeal itself will be defeated, if the respondents would not dispose the appeal within the stipulated time. Therefore, the first respondent is directed to hear the appeal, after giving opportunities to both the parties and pass orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this Order.

5. With the above direction, this writ petition is disposed of. No costs.

03.11.2023

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To

- 1.The District Collector & Arbitrator,
Dharmapuri District.
- 2.The Competent Authority & District Revenue Officer,
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Dharmapuri District.
- 3.The Special Tahsildar,
Land Acquisitions NH-844 (Unit-II),
Dharmapuri District.
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P. VELMURUGAN, J.

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