



W.P.No.33952 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.33952 of 2022

Joseph Arokiaraj

... Petitioner

versus

1.The District Collector,
Dharmapuri,
Dharmapuri District.

2.The Special District Revenue Officer (L.A),
SIPCOT,
Dharmapuri,
Dharmapuri District.

.... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 11.07.2022 for providing adequate and appropriate compensation as per the market value for the petitioner's land measuring 1 Acre in S.No.315, Balajangamanahalli Village, Nallampalli Taluk, Dharmapuri District and also to furnish the copies and pass appropriate orders within the time stipulated by this Court.

Pg.Nos.1/6



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For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

ORDER

The petitioner seeks for a direction to the second respondent to provide adequate and appropriate compensation as per the market value in respect of his land measuring 1 Acre in S.No.315, Balajangamanahalli Village, Nallampalli Taluk, Dharmapuri District, by considering his representation dated 11.07.2022 and also to furnish the copies and pass appropriate orders within the time stipulated by this Court.

2. The case of the petitioner is that subject property had been purchased by the petitioner by registered Sale deed dated 09.01.1984 vide Doc.No.49 of 1984. Since then he is in peaceful possession and enjoyment of the subject property. The petitioner claims that the second respondent had acquired the land measuring 26.63 acres in S.Nos.315, 314/1, 314/2 and 312



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at Balajangamanahalli Village, Nallampalli Taluk, Dharmapuri District, including the petitioner's land for the development of SIPCOT in Dharmapuri District. While so, the petitioner raised his objections before the second respondent. However, so far the second respondent has neither conducted any enquiry nor passed any Award by determining the compensation for the petitioner's land. Since the second respondent has acquired the petitioner's land without giving prior notice, the petitioner has given a representation dated 11.07.2022 to the respondents to provide adequate and appropriate compensation as per the market value in respect of his land. However, the respondents have not considered the same till date, and hence, the petitioner is before this Court by filing this writ petition.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. Though this Writ Petition is filed in the year 2022, the respondents have not filed counter affidavit, as on today.



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5. However, considering the limited scope of the matter and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 11.07.2022, on merits and in accordance with law, if necessary, after giving notice to all the interested parties, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs.

27.11.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To
1. The District Collector,
Dharmapuri,
Dharmapuri District.

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2. The Special District Revenue Officer (L.A),
SIPCOT, Dharmapuri,
Dharmapuri District.

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P.VELMURUGAN, J.

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