



W.P.(MD)No.5049 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.5049 of 2021

K.Dakshinamoorthy

... Petitioner

vs.

1.The District Collector,
Land Acquisition, Rehabilitation and
Resettlement Authority,
Office of the District Collector, Thanjavur District.

2.The Authorized Officer,
District Revenue Officer, (Land Acquisition),
National Highways No.45-C,
(Vikravandi- Kumbakonam, Thanjavur Division),
No.12, Tamizh Nagar, Vilamal, Thiruvarur. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner appeal No.26/2019 and the additional grounds dated 25.04.2020 at an early date to be fixed by this Court and to give the petitioner a personal hearing to produce documents and to prove the petitioner's case to fix the correct Market value of the property considering Schedule I Factor and Schedule III Amenities of Act 30 of 2013 while fixing the Market Value in the appeal for the property Land



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and Building in R.S.133/8B (133/8) Vilandhakandam Village, Kumbakonam Taluk, Thanjavur District and to pass an order of interim stay of all the Land Acquisition proceedings pertaining to Award No. 14/2018-2019 in Na.Ka.No.801/2017/A/The.Ne/Thiruvarur/ dated 15.10.2018 in respect of Old R.S.No.133/1, New R.S.No.133/8B (133/8) situated in Vilanthakandam Village, Kumbakonam Taluk, Thanjavur District.

For Petitioner :Mr.M.V.Santaharaman
For Respondents :Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the first respondent to consider the appeal filed by the petitioner against the compensation fixed by the competent authority and to re-determine the compensation and to pass final orders within a time frame fixed by this Court.

2.When the matter was taken up for hearing, the learned Special Special Government Pleader appearing on behalf of the respondents submitted that the subject property was acquired under the National Highways Act and the proceedings are now pending before the first



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respondent under Section 3(G)(5) of the Act and final orders will be passed by the first respondent within the time limit fixed by this Court.

3.Taking into consideration the facts and circumstances of the case and the submissions made by the learned Special Government Pleader, there shall be a direction to the first respondent to pass final orders in the pending appeal dated 03.09.2020 within a period of four months from the date of receipt of a copy of this order, if it has not already been disposed of. The petitioner is directed to make a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

4.The Writ Petition is disposed of with the above directions. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

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(1/2)

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N.ANAND VENKATESH, J.

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