



W.P.(MD)No.5054 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.5054 of 2021

C.Venkatesan

... 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 1<sup>st</sup> respondent to consider the petitioner's appeal dated 03.09.2020, received on 07.09.2020 at an early date as a Reference under Sec. 64 of Act 30 of 2013 and to Re-determine the compensation under Sec. 73 of the Act read with Sec. 65 to Sec. 73 of Act 30 of 2013, and Schedule I Factor and Schedule III Amenities of Act 30 of 2013 while fixing the Market Value in the Appeal for the property Land and Building in R.S.126/2A1,



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Vilandhakandam Village, Kumbakonam Taluk, Thanjavur District in Award No.14/2018-2019 dated 19.08.2019 and also to consider for 54 Sq.meters equal to 581 Sq.ft site and Building value which was given to one Ramamoorthy, as against the Provisions of Act 30 / 2013 with all assets attached to it as provided under Sec 29 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 within time to be fixed by this Court till the disposal of the Appeal dated 05.04.2020.

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



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Highways Act and the proceedings are now pending before the first 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  
cmr

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**N.ANAND VENKATESH, J.**

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