



W.P(MD)No.4572 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.4572 of 2023

V.Vijayakumar

... Petitioner

Vs.

1.The District Collector

District Collectorate,
Kanyakumari District
at Nagercoil

2.The District Revenue Officer

Land Acquisition (National Highways)
Tirunelveli at Nagercoil.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondents



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to comply with the direction given by the 1st respondent in Na.Ka.No.U3/13566/2021 (ii) dated 19.10.2022 for enhancing the compensation amount for the petitioners land in S.No.34/3 by taking account of the compensation fixed in the adjacent Land in S.No.37/1A.

For Petitioner : Mr.H.Thayumanaswamy

For Respondents : Mr.N.Muthu Vijayan,
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the second respondent but effectively, against the first respondent to proceed further with a representation given by the petitioner herein seeking enhancement of compensation for land acquired.

2. Let me not enter into a detailed discussion on the facts, particularly because the first respondent issued a official communication in Na.Ka.No.U3/13566/2021 (ii) dated 19.10.2022 to the second



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respondent/ District Revenue Officer, Land Acquisition, (National Highways) Tirunelveli at Nagercoil, seeking details. A copy of that communication had also been marked to the petitioner herein.

3. The learned counsel for the petitioner states that the grievance of the petitioner is that for the adjacent lands, a higher amount had been determined as compensation whereas, the petitioner has suffered by a lesser amount granted as compensation. This is an issue which has been examined by the first respondent in his position as the Appellate Authority.

4. A direction is, therefore, issued to the first respondent to pursue further with his directions aforementioned issued to the second respondent, obtain a report and then pass necessary orders after following due principles of natural justice which would include issuing notice to the petitioner and giving opportunity to the petitioner to give effective representation and also to produce documents.



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5. A direction is given to the first respondent to endeavour to complete the entire process on or before **31.12.2023** following the procedure aforementioned.

6. With the above directions, the Writ Petition stands disposed of. No costs.

15.06.2023

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

RM



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C.V.KARTHIKEYAN, J.

RM

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