



WP(MD)No.7490 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.7490 of 2023

Vallikumari

... Petitioner

v.

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Competent Authority
& Special District Revenue Officer,
Land Acquisition – National Highways,
Tirunelveli @ Nagercoil.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's appeal / representation dated 30.12.2022 filed against ROC.No.J3/601/2009 in modification award No.3/2014-33 dated 08.12.2022 relating to the land in S.No.755/8 measuring to an extent of 2200 sq.meter



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situated at Aralvoimozhi Village, Thovalai Taluk, Kanyakumari District,

within a stipulated time limit.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.P.T.Thiraviam,
Government Advocate

ORDER

In the process of formation of a National Highway, NH47B, in Aralvoimozhi Village, the petitioner's land in S.No.755/8B situated at Aralvoimozhi Village, Thovalai Taluk, Kanyakumari District, to an extent of 2200 sq.meter was acquired by the respondents. The second respondent / Special District Revenue Officer has fixed the compensation as Rs.2,61,630/-. Being not satisfied with the order of the second respondent, the petitioner has preferred an appeal before the first respondent / District Collector under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, on 30.12.2022 and has filed this writ petition for a mandamus directing the first respondent to conclude the proceedings within a reasonable time.



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2.This Court, while entertaining the writ petition on 03.04.2023, has directed the then learned Government Advocate to get instructions from the first respondent / District Collector as to the outer date within which the appeal preferred by the petitioner would be disposed of.

3.Today, the learned Government Advocate appearing for the respondents sought some more time to get instructions.

4.Considering the nature of relief and that the appeal is also pending before the first respondent, this Court dispose of this writ petition with a direction to the first respondent / District Collector to dispose of the petitioner's appeal dated 30.12.2022, on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order, after affording sufficient opportunity of hearing to the petitioner. No costs.

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

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B.PUGALENDHI, J.

gk

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