



W.P.(MD)No.13154 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.13154 of 2020

C.Parameswarai

... Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul-624 004.

2.The Tahsildar,
Authur Taluk, Authur,
Dindigul District.

3.The Block Development Officer (Village Panchayat),
Authur Panchayat Union, Sempatti-624707,
Dindigul District.

4.The President,
Ambathurai Village Panchayat,
Authur Taluk, Ambathurai,
Dindigul District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to remove the Tar Road, which is laid on the petitioner's agricultural land in Survey No.396/3A, Melakottai



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Udkadai, Ambathurai Village, Authur Taluk, Dindigul District and restore it in its original position and consequently, to direct the 1st respondent to take appropriate action against the 3rd respondent for illegally forming the road in the said survey land on the basis of the petitioner's representation dated 04.09.2020 within the time stipulated by this Court.

For Petitioner : Mr.J.Lawrance

For R1 to R3 : Mr.S.Kameswaran, Government Advocate

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

This Writ Petition has been instituted to direct the 1st respondent to remove the Tar Road, which is laid on the petitioner's agricultural land in Survey No.396/3A, Melakottai Udkadai, Ambathurai Village, Authur Taluk, Dindigul District and restore it in its original position and consequently, to direct the 1st respondent to take appropriate action against the 3rd respondent for illegally forming the road in the said survey land on the basis of the petitioner's representation dated 04.09.2020 within the time stipulated by this Court.

2.We have directed the authorities to conduct survey and quantify the compensation, which is to be paid to the petitioner under the new Land



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Acquisition Act of the year 2013 ie., Right to Fair Compensation and
Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3.In response, the learned Government Advocate appearing for the respondents 1 to 5 has made a submission that the 2nd respondent has already completed the said exercise and submitted a proposal to the 1st respondent in proceedings dated 13.12.2023 for fixing compensation for the patta land belongs to the petitioner.

4.In view of the said submission, the said proposal is directed to be considered by the 1st respondent and just compensation as applicable under the new Land Acquisition Act, 2013 is directed to be settled in favour of the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order.

5.With this direction, this Writ Petition stands disposed of. No costs.

(S.M.S., J.) & (V.L.N., J.)
19.12.2023

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

Yuva

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AND

V.LAKSHMINARAYANAN, J.

Yuva

To

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