



W.P.(MD)No.9818 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.9818 of 2016
and
W.M.P.(MD).No.7762 of 2016

S.Pushparaj

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The District Revenue Officer,
Kanyakumari District.

3.The Special Tahsildar,
(National Highways Land Acquisition),
Vilavankodu Taluk, Tahsildar Officer,
Vilavankodu Taluk, Kanyakumari District.

4.The National Highways of India,
Land Acquisition, New Delhi.

... Respondents



W.P.(MD)No.9818 of 2016

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Special Tahsildar, Vilavankodu Taluk, Kanyakumari District, the 3rd respondent herein to award just compensation for the acquisition of the land of the petitioner in respect of lands situated in Re.Survey No.28/15 of an extent of 5 cents at Kullapuram Village, Kanyakumari District similar to the award of acquisition made by the Special Tahsildar, Land Acquisition NH Unit II Neyyattinkara, Kerala State by considering the representation of the petitioner dated 10.12.2014.

For Petitioner : Mr.S.Siva Thilakar
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.S.Sankarapandian
for M/s.C.Arul Vadivel Associates

ORDER

The petitioner's grievance is in respect of non-payment of compensation for the land bearing Re.Survey No.28/15 admeasuring 4300 sq.ft.

2.The learned Special Government Pleader for the respondents 1 to 3 submits, on instructions, that no representation was made requesting for compensation in respect of this land.



W.P.(MD)No.9818 of 2016

WEB COPY

3.The learned counsel for the petitioner submits that a representation was submitted on 10.12.2014.

4.From the rival submissions, it appears that the representation dated 10.12.2014 was not received by the authorities. Accordingly, W.P.(MD)No.9818 of 2016 is disposed of by granting leave to the petitioner to submit a representation seeking compensation to the respondents. If such representation is received, the respondents are directed to consider and dispose of the same in accordance with law within a reasonable period. There shall be no order as to costs. Consequently, connected W.M.P.(MD)No.7762 of 2016 is closed.

23.03.2023
(2/4)

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

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W.P.(MD)No.9818 of 2016

SENTHILKUMAR RAMAMOORTHY, J.

MYR

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