



W.P.No.15318 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.15318 of 2023

Bathiyappa

... Petitioner

Vs.

1. The District Collector,
Krishnagiri.

2. The Special District Revenue Officer (LA),
Sipcot Phase III & IV,
1/165/3, Rajaji Nagar, 5th Cross,
Rayakottai Main Road,
Krishnagiri.

3. The Special Tahsildar, (L.A.),
Sipcot Phase III, Unit – II,
Schoolagiri Taluk,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 1st respondent to grant the compensation for the acquisition of the petitioner's property comprised in S.Nos.121/2A and 121/3B situated at Attakurikki Village, Schoolagiri Taluk, Krishnagiri District by considering the representation dated 14.03.2023.



W.P.No.15318 of 2023

For Petitioners : Mr.M.Mohamed Riyaz
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of the Respondents.

2. This Writ Petition has been filed for a Mandamus to direct the 1st Respondent to grant the compensation for the acquisition of the petitioner's property comprised in S.Nos.121/2A and 121/3B situated at Attakurikki Village, Schoolagiri Taluk, Krishnagiri District by considering the representation dated 14.03.2023.

3. The Petitioner's case is that the Respondents 2 & 3 had acquired the properties comprised in S.Nos.121/2A, 121/3B, 121/2B and 121/3A. However, the compensation in respect of the properties comprised in S.Nos.121/2A and 121/3B had not been disbursed to the Petitioner. Despite several representations/requests there has been no response from the Respondents 2 & 3.

4. The Petitioner has also sent a representation on 14.03.2023 which has also not effected any response.



W.P.No.15318 of 2023

5. Heard the learned counsel for the Petitioner and the learned Special

Government Pleader for the Respondents.

6. For the lands having been acquired the Respondents are bound to compensate the Petitioner. The right to property have been enshrined and protected under Article 300A of the Indian Constitution, which states that no one can be deprived of their right to property except by due process of law. Therefore, the inaction on the part of the 1st Respondent in his failure to discharge the statutory duty is disheartening.

7. In view of the above, Writ Petition is allowed by directing the 1st Respondent to consider the representation of the Petitioner dated 14.03.2023 and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this Order. No costs.

28.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm



WEB COPY



W.P.No.15318 of 2023

P.T.ASHA, J.

rgm

To

1. The District Collector,
Krishnagiri.
2. The Special District Revenue Officer (LA),
Sipcot Phase III & IV,
1/165/3, Rajaji Nagar, 5th Cross,
Rayakottai Main Road,
Krishnagiri.
3. The Special Tahsildar, (L.A.),
Sipcot Phase III, Unit – II,
Schoolagiri Taluk,
Krishnagiri District.

W.P.No.15318 of 2023

28.11.2024