



WEB COPY

W.P. No.35374 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.35374 of 2023

Thulasinga Perumal

... Petitioner

Vs.

1. The District Collector cum Arbitrator
District Collector Office
Villupuram

2. The Special District Revenue Officer
Land Acquisition
National Highways
Villupuram

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's appeal dated 07.11.2022 pertaining to property bearing Survey No.20/4B located at Gengampalayam Revenue Village, Villupuram Taluk, Villupuram District, admeasuring 272 Sq. Mts., within a time frame.

For Petitioner : Mr.P.J.Rishikesh

For Respondents : Mr.P.Sathish
Additional Government Pleader



ORDER

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This Writ Petition is filed seeking a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's appeal dated 07.11.2022 pertaining to property bearing Survey No.20/4B located at Gengarampalayam Revenue Village, Villupuram Taluk, Villupuram District, admeasuring 272 Sq. Mts., within a time frame.

2.The contention of the petitioner is that the petitioner's land was acquired under the National Highways Act, 1956. The petitioner submitted his objections and detailed explanations claiming compensation at the rate of Rs.4,845/- Per Sq.Ft. with supporting documents. However, the 2nd respondent without considering any of his objections, awarded a sum of Rs.395.40/- Per Sq. Mt. Challenging the said Award, the petitioner filed an appeal dated 07.11.2022 before the 1st respondent seeking enhancement and till now, the petitioner has not received any notice/summon for the hearing of the appeal. Hence, the present writ petition is filed before this Court seeking quick disposal of the appeal.



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3. Mr.P.Sathish, learned Additional Government Pleader who takes notice for the respondents submitted that a direction may be issued to the 1st respondent to dispose of the appeal filed by the petitioner within a stipulated time as the case may be.

4. Heard and perused the materials available on record.

5. It is to be noted that this Court, in W.P.No.262 of 2018 (D.Tulasi vs. The District Revenue Officer, Dharmapuri etc. and batch), by order dated 09.06.2023, directed the Department to issue circular in regard to disposal of the application/petition/revision/appeals and etc., within time limit and obey the Court orders and in that regard, the Commissioner of Land Administration has also issued a circular No.R1/2005632 /2022 dated 17.07.2023 as to how the matters have to be dealt with and within the period of which, the matters have to be disposed of has been fixed in the circular, and inspite of the same, the Departments are not following either the order of this Court or the circular.

6. It is seen that the appeal has been filed by the petitioner on



07.11.2022 and now we are in the year of 2024. However, since this writ petition is filed seeking a simple writ of mandamus, this Court without expressing any opinion with regard to the merits of the case, directs the 1st respondent to issue notice to the petitioner and the respondent/s in the appeal and also to the interested parties/rival claimants/objectors if any, as the case may be and conduct enquiry in the manner known to law and dispose of the petitioner's appeal dated 07.11.2022 on merits and in accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

02.01.2024

(4/4)

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

1. The District Collector cum Arbitrator
District Collector Office
Villupuram

2. The Special District Revenue Officer
Land Acquisition
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P.VELMURUGAN. J.

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