



W.P(MD)No.1419 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 24.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1419 of 2024

C.Ganesan

..Petitioner

Vs

1.The Special District Revenue Officer (Land Acquisition)
Chennai – Kanyakumari Industrial Corridor Project,
Tirunelveli.

2.The Divisional Engineer,
Highways (Nabard and Rural Roads),
Tirunelveli.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.09.2022 on merits and dispose of the same within the time stipulated by this Court.

For Petitioner :Mr.D.Venkatachalam

For Respondents :Mr.D.Gandhi Raj,
Spl. Government Pleader.



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ORDER

This writ petition is filed seeking Writ of Mandamus, directing the consider the petitioner's representation dated 27.09.2022 and dispose of the same within a stipulated fixed by this Court.

2.Heard Mr.D.Venkatachalam, learned counsel for the petitioner and Mr.D.Gandhi Raj, learned Special Government Pleader for the respondents.

3.The learned counsel for the petitioner submits that petitioner's land in Survey No.368/8, Town Survey No.G/12/85/1 to an extent of 23.29 Square Meter was acquired for Railway Over Bridge on National Highways No.7 in Thatchanallur Village, Tirunelveli District by the first respondent. It is a common property and the petitioner is entitled to 1/6th share. However, while passing award in Award No.1 of 2022, it has been mentioned that the petitioner is entitled for compensation to an extent of 15 Square Meters only. One Subbulakshmi is also having 1/6th share in the said property. Though one wall was acquired in her share for the said project, she was paid excess compensation. Therefore, the petitioner sent a representation to the



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respondents. The second respondent vide letter dated 26.10.2022 forwarded the petitioner's representation to the first respondent. The petitioner was called for enquiry on 21.11.2022 and 09.05.2023. Thereafter, the first respondent had sent a communication dated 15.09.2023 stating that he will consider his claim and determine appropriate compensation. However, it was not done so. In the meanwhile, the second respondent issued notice dated 27.12.2023 to vacate the site. The petitioner left with no other filed the present writ petition.

4.The learned Special Government Pleader for the respondents would submit that the respondents had looked into the issue and found that a mistake was committed by the authorities and that the respondents will hold enquiry and pass appropriate order on the petitioner's representation.

5.Recording the submission of the learned Special Government Pleader for the respondents, first respondent is directed to consider the petitioner's representation 27.09.2022 regarding the claim made by the petitioner within a period of four weeks from the date of receipt of a copy of this order. If the petitioner is eligible for more compensation, the same shall be paid within a period of two weeks thereafter.



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6.This writ petition is disposed of accordingly. No costs.

24.01.2024

Index : Yes/No

Internet: Yes/No

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V.BHAVANI SUBBAROYAN,J

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