

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.1489 of 2024

Karuppanagounder

..Petitioner

Vs

1.The District Collector,
Dindigul.

2.The Special District Revenue Officer,
Land Acquisition,
Tamil Nadu Road Development Project-II,
Salem.

3.The Tahsildar,
Oddanchatram Taluk,
Dindigul District.

4.The Divisional Engineer,
Tamil Nadu Road Development Project-II,
Tiruppur.

..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 survey the petitioner's land and hand over the surplus land or give compensation to the petitioner in survey No.268/4B situated at Kappiliyapatti Village, Oddanchatram Taluk, Dindigul District, based on the petitioner's representation dated 20.12.2023.

For Petitioner : Mr.C.Ezhilarasu
For Respondents : Mrs.K.Christy Thebaral
Addl. Govt. Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus directing the respondents to survey the petitioner's land and hand over the surplus land or give compensation to the petitioner in survey No.268/4B situated at Kappiliyapatti Village, Oddanchatram Taluk, Dindigul District, based on his representation dated 20.12.2023.

2. Heard the learned counsel appearing for the petitioner and the learned learned Additional Government Pleader appearing for the respondents.

3. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, he is having a land in S.No.268/2B measuring an extent of 24 cents out of 48 cents situated at Kappiliyapatti Village, Oddanchatram Taluk, Dindigul District. The fourth respondent has decided to extent the road in SH-37 from Oddanchatram – Dharapuram – Tiruppur as per the Tamil Nadu Road Development Project-II. The second

respondent acquired the petitioner's land and gave compensation of Rs. 7,88,525/- for 471 square meters. According to the petitioner, the second respondent acquired his land more than 891 square meters. Hence, he sent a detailed representation dated 20.12.2023 to the respondents to survey his land and return back the surplus land or give compensation. Since no action has been taken, he filed the present writ petition.

5.The learned Additional Government Pleader appearing for the respondents would submit that appropriate direction may be given to the respondents to consider the petitioner's application dated 20.12.2023, in accordance with law, within a time frame.

6.Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the respondents to consider the petitioner's representation dated 20.12.2023 and after issuing notice and affording an opportunity to the parties concerned, conduct survey in their presence in the subject matter survey numbers and pass orders in accordance with law and communicate the decision taken by the respondents to the petitioner. Such exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

24.01.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

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V.BHAVANI SUBBAROYAN, J.

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