



W.P.(MD) No.24887 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.24887 of 2024

Meera Madan

.. Petitioner

Vs.

1.The District Collector cum Arbitrator,
Office of the District Collector,
Theni District, Theni.

2.The District Revenue Officer cum
Authorized Competent Authority,
National Highways-85, Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to dispose of the Appeals dated 11.07.2024 in Survey No.17A/1B, New Town Survey No.17A/1B2 of an extent of 97.5 sq.meter and Survey No. 18/5C2, New Town Survey no. 18/5C2B of an extent of 346.5 sq.meter situated at Bodinaickanoor Town and Taluk, Theni District for payment of enhanced compensation as per Section 3-G (5) of National Highways Act 1956 to the petitioner within a time stipulated by this Court.



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For Petitioner : Mr.K.Muthumalai
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner's land comprised in Survey No.17A/1B New Town Survey No.17A/1B2 measuring an extent of 97.5 sq.meter and Survey No.18/5C2 New Survey No.18/5C2B measuring an extent of 346.5 sq.meter in Bodinaickanor Town, Theni was acquired by the respondents for extending Madurai to Bodinaickanor National Highway No.49 and for construction of railway over bridge. The petitioner would submit that while fixing compensation, the respondents had not taken into consideration the market value of the other sale deeds, transactions done by the various persons during the relevant point of time. That apart, the respondents had not paid the enhancement of compensation. Therefore, the petitioner had filed the second appeals on 11.07.2024 before the respondents seeking enhancement of compensation. The said appeals are yet to be heard. Thus aggrieved, the petitioner is before this Court.



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2. Heard the learned counsel on either side.

3. Considering the fact that the lands of the petitioner had been acquired in the year 2019 and the petitioner's appeals seeking enhancement has been pending, a mandamus is issued to the 1st respondent to dispose of the appeal within a period of two (2) months from the date of receipt of copy of this order.

4. With the above directions, this Writ Petition stands allowed. No costs.

21.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1. The District Collector cum Arbitrator,
Office of the District Collector,
Theni District, Theni.



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P.T.ASHA, J.

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2.The District Revenue Officer cum
Authorized Competent Authority,
National Highways-85, Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

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