

W.P.(MD)No.12897 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12897 of 2025

B.Muniyasamy

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Special Tahsildar (Land Acquisition to Railways),
Ettayapuram,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in connection with the impugned order of rejection passed by him in his proceedings in Oo.Mu.A1/61/2024, dated 23.07.2024 and quash the same as illegal and arbitrary and consequently directing the 1st respondent to re-determine the compensation and to pay adequate compensation with interest for the land measuring to an extent of 0.55.10 Hectares comprised in Survey No.229/5 situated at Melamaruthur Village, Ottapidaram Taluk, Thoothukudi District based on the petitioner's representation dated 08.07.2024 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.G.Thalaimuthurasu

For Respondents : Mr.B.Saravanan
Additional Government Pleader

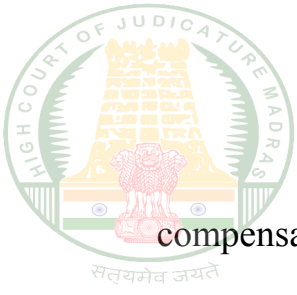
ORDER

The petitioner challenges the order of the 2nd respondent, dated 23.07.2024, rejecting the petitioner's application for enhancement of compensation on the ground of delay.

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

3. The learned Additional Government Pleader, on instructions, fairly submits that on the date of the enquiry, compensation alone was disbursed to the petitioner and the copy of the award was not furnished.

4. In the light of the above, delay cannot be put against the petitioner. Therefore, I am inclined to set aside the order challenged in the writ petition and the matter is remitted to the 2nd respondent. The 2nd respondent is directed to forward the application of the petitioner to the 1st respondent for redetermine the



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compensation. The 1st respondent, after conducting due enquiry, giving fair opportunity to the petitioner, is directed to dispose of the petitioner's representation dated 08.07.2024, on merits and in accordance with law. The entire exercise shall be completed within a period of twelve (12) weeks from the date of receipt of copy of this order.

5. With the above directions, this Writ Petition stands disposed of. No costs.

30.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Special Tahsildar (Land Acquisition to Railways),
Ettayapuram,
Thoothukudi District.



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P.B.BALAJI, J.

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