

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2015

CORAM:

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.19935 to 19938 of 2015
and

M.P.No.1/2015 in W.P.No.19938/2015

J.Malani ... Petitioner in W.P.No.19935/2015
S.Baskaran ... Petitioner in W.P.No.19936/2015
K. Sudha
Represented by its General Power of Attorney,
B.Sailaja. ... Petitioner in W.P.No.19937/2015
M.K.Jaganathan ... Petitioner in W.P.No.19938/2015

Vs.

- 1.The Compentent Authority,
Special District Revenue Officer (Land Acquisition)
National High Ways Scheme,
Thiruvallur.
- 2.The National Highways Authority of India,
Rep. By its Project Director,
"Sri Towers" 3rd Floor,
DP-34(SP) Industrial Estate,
Guildy, Chennai - 600 032.
3. The Arbitrator & District Collector,
Thiruvallur,
Thiruvallur District. ... Respondents in all WPs

PRAYER in all WPs : Writ Petitions are filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of 3rd respondent by his order in proceedings Ref.No.15125/2012 dated 10.09.2014 and quash the same and further direct the 3rd respondent to redetermine the award as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

For Petitioner in Wps.	: Mr.M.Rajasekhar
For RR1 & RR3 in all Wps.	: Mr.R. Rajeswaran Special Government Pleader
For RR2 in all Wps.	: Mr.Richardson Wilson for P. Wilson Associates

C O M M O N O R D E R

With the consent of the learned counsel appearing on either side, these writ petitions are taken up for final disposal.

2. Heard Mr.M.Rajasekhar, learned counsel appearing for the petitioners and Mr.R.Rajeswaran, learned counsel appearing for the first and third respondents and Mr.Richardson Wilson, learned counsel appearing for the second respondent.

3. Learned counsel for the petitioners, who are the land owners and whose lands were acquired by the National Highways project seeks permission to withdraw these writ petitions to approach the District Court under Section 34 of the National Highways Act or in the alternative to discuss the matter with the National Highways Authority as in the case of other land owners, viz., petitioners in W.P.Nos.284 to 290 of 2015.

4. It is to be pointed out that the petitioners herein are the respondents in the writ petitions filed by the National Highways Authority, which are dismissed as withdrawn today (23.11.2015) with certain liberty. Therefore, liberty which was granted to the National Highways Authority should also be granted to the petitioners herein and for the purpose of computation of limitation, the period during which all the writ petitions were pending before this Court shall be excluded.

***In the light of the above, liberty is granted to the National Highways Authority to approach the District Court under Section 34 of the Act and if such petition is filed, while computing the period of limitation, the period during which all the Writ Petitions were pending shall be excluded.**

In the result, these writ petitions are dismissed as withdrawn with the above observations. No costs. Consequently, connected miscellaneous petitions is closed.

Sd/
ASSISTANT REGISTRAR (CS-IV)
Dated : 07.12.2015

***Issue fresh Order copy as per Order
of this Court dated 22.01.2016 by TSSJ
Sd/- Assistant Registrar (CO)
Dated : 08.02.2016**

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

gv

To

1. The Compentent Authority,
Special District Revenue Officer
(Land Acquisition)
National High Ways Scheme,
Thiruvallur.

To be Substituted to

2. The National Highways
Authority of India,
Rep. By its Project Director,
"Sri Towers" 3rd Floor,
DP-34(SP) Industrial Estate,
Guildy, Chennai - 600 032.

the Order already

despatched on

14.12.2015

3. The Arbitrator & District Collector,
Thiruvallur,
Thiruvallur District.

+1 CC to MR.M.Rajasekhar Advocate. SR.NO. 63454

+1 CC to Govt.Pleader. SR.NO. 63526

+1 CC to MR.P. Wilson Associates Advocate. SR.NO. 63487

+7CC to M/s.B.Harikrishnan, Advocate, S.R.Nos.3859 to 3865

W.P.Nos.19935 to 19938 of 2015

and

M.P.No.1/2015 in W.P.No.19938/2015

CO-AK

JD 08/12/2015

CA(10.02.2016)

WEB COPY