

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20286 of 2015

S.Duraikannu Naicker

... Petitioner

- Vs -

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to consider and pass orders on the request of the petitioner's representation dated 01.06.2015 to include his lands for acquisition by correcting the Notification in Na.Ka.No.39421/2009/F2, dated 05.09.2014 under Section 15(2) of the Tamil Nadu Highways Act, 2001.

Petitioner : Mr.K.R.Krishnan

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

By consent, the writ petition is take up for final disposal.

2. The petitioner claims that he is the owner of the land measuring 2600 sq.ft. in Old Survey No.119/2A Part, New Survey No.300/11 at Vandalur village, Guduvancheri Taluk, Kancheepuram District. The petitioner would further submit that a partition took place in the year 1981 between him and his brothers and his wife was also allotted a small portion of land measuring 130 sq.mts. The petitioner was allotted 1350 sq.ft. Subsequently, he and his wife has put up a superstructure on the land allotted to him and the

balance of the land is left vacant. It is further submitted by the petitioner that the second respondent has initiated proceedings to acquire lands under the provisions of the Tamil Nadu Highways Act, 2001. Though the said notification covers the lands belonging to the petitioner measuring 1350 sq.ft. which stands in his name in Old Survey No.119/2A and new Survey No.300/11 the same has not been included and in this regard, he submitted a representation dated 01.06.2015 to the respondents to include his land for acquisition by correcting the notification dated 05.09.2014. Since no order has been passed on the representation of the petitioner, he has come forward with this writ petition.

3. Heard the submissions of Mr.K.R.Krishnan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice for the respondents.

4. This Court considering the limited scope of the prayer made in this writ petition, without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 01.06.2015, in accordance with law and pass orders within four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kk

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Revenue Officer,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.K.R.Krishnan, Advocate, S.R.No.34563

W.P.No.20286 of 2015

BR(CO)

CA(28/07/2015)