

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10-03-2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.26752 of 2014

and

M.P.No.1 of 2014

1 J.Baskar

2 J.Sankar

Both S/o.Jayarama Naicker (Late) No.1/181
Walajahbath Road Vandalur Chennai-48.

Petitioners

Vs

1 The District Collector
Kancheepuram District Collectorate
Kancheepuram.

2 The District Revenue Officer
Kancheepuram District Kancheepuram.

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the Respondents to consider and pass orders in respect of the request of the Petitioners for correction in respect of Items 63 and 64 in the corrected notification published in Na.Ka.No. 39421/2009/F2 dated 5.9.2014 as per the representation of the Petitioner dated 19.10.2012 as per law after giving an opportunity

For petitioners :: Mr. K.R. Krishnan

For respondents :: Mr. R.Vijayakumar, AGP

WEB COPY
ORDER

The petitioner seeks for a direction of the respondent to effect correction in the name mentioned in the Notification issued under Section 15(2) of the Tamil Nadu High Ways Act, 2001 in respect of the property in survey No.302/25 and 26 in Vandalur Village, Chengalpattu Taluk, Kancheepuram District which has been classified as Grama Natham land.

2. The petitioner is aggrieved by the insertion of the name of one Ariunan in respect of the land in survey No.302/25. In so far as the land in survey No.302/26 is concerned, the petitioner submits that the name of the person in occupation and enjoyment is

shown as Thirupuram and there is no dispute over the same. The petitioner would submit that Arjunan had purchased only three cents of land and it is a different property. The petitioner and his family is in possession and enjoyment of six to seven cents. In this regard, a representation has been given to the respondents stating that correction should be effected in the Notification dated 05-09-2014. It is seen that the Notification is for road widening project and by now, the project itself would have commenced. However, the petitioner's grievance is that if his name is not included in the patta, they would not be in a position to claim compensation.

3. In view of the above, the respondents are directed to consider the petitioners' representation dated 19-10-2012 and examine the records by conducting an enquiry, in which the petitioners as well as one Arjunan should be summoned to attend the enquiry and thereafter, a reasoned order shall be passed by the respondent within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of the representation dated 19-10-2012 along with the order copy.

4. The writ petition is disposed of, accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

1 The District Collector
Kancheepuram District Collectorate
Kancheepuram.

2 The District Revenue Officer
Kancheepuram District Kancheepuram

1 cc to Mr. K.R. Krishnan, Advocate, SR.No.13469

W.P.No.26752 of 2014
and
M.P.No.1 of 2014

ad(co)
pmk.13.3.2015