

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.11.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.42067 of 2016

Padmavathi

[Petitioner]

Vs

- 1 The State of Tamil Nadu
Rep by its Principle Secretary to Government
Highways and Minor Ports (HF-1) Department
Fort St. George Chennai-600 009
 - 2 The District Collector
Thiruvallur District Thiruvallur
 - 3 The District Revenue Officer
Thiruvallur District Thiruvallur
- [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents herein to pass an Award and to pay the compensation amount for the land measuring an extent of 130 sq. meter comprised in S. No.169/ 3C1C2 situated at No.92 Manjankaranai Village Uthukkottai Taluk Thiruvallur District acquired by the respondents herein for the purpose of widening the State Highway NO.51 which is also known as Periyapalayam Highway.

For Petitioner :Mr.M.Kumaravelu

For Respondents: Mr.P.V.Selvakumar, AGP

ORDER

The petitioner's punjai lands to an extent of 130 sq. meter comprised in S.No.169/3C1C at No.92, Manjankaranai Village, Uthukkottai Taluk, Thiruvallur District was acquired for the purpose of widening of State Highway No.51 from 2 way road to 4 way road, running between Kosesthalaiyur Bridge - Puthur, which is also known as Periyapalayam Highway, by

<https://hcservices.courts.gov.in/hcservices/> dated 18.11.2011 under Section 15(2) of the

Tamil Nadu Highways Act. After publication of notice under Section 15(1) of the Act on 19.05.2012 and 20.11.2013 through gazette, the respondents took possession of the property. Thereafter, on 19.08.2014, the 3rd respondent sent a notice under Section 19(2) and 19(3) of the Act, calling upon the petitioner and other land owners to participate in the award enquiry to be held on 05.09.2014. Even though award enquiry was conducted on 05.09.2014, no award was passed, compelling the petitioner to send a representation on 16.02.2015 and another remainder on 20.10.2015. A reply was received on 28.01.2016 from the 2nd respondent, stating that the award is being processed by fixing the value of the acquired property. Even though about 9 months have passed so far, no award has been passed, compelling the petitioner to come before this Court.

2. Heard Mr.M.Kumaravelu, learned counsel for the petitioner and Mr.P.V.Selvakumar, who accepts notice on behalf of the respondents.

3. It is evident from the records that the lands of the petitioner were already acquired and the petitioner also participated in the award enquiry, which was conducted on 05.09.2014. It is equally evident from the communication dated 28.01.2016, issued by the 2nd respondent, the Collector, that the land value is being determined and the award is being processed. Even though award enquiry was conducted on 05.09.2014, so far, no award has been passed. Therefore, it is appropriate to direct the respondents, especially the 2nd respondent to pass an award in respect of the lands acquired from the petitioner on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1 The Principle Secretary to Government
State of Tamil Nadu
Highways and Minor Ports (HF-1) Department
Fort St. George Chennai-600 009

2 The District Collector
Thiruvallur District Thiruvallur

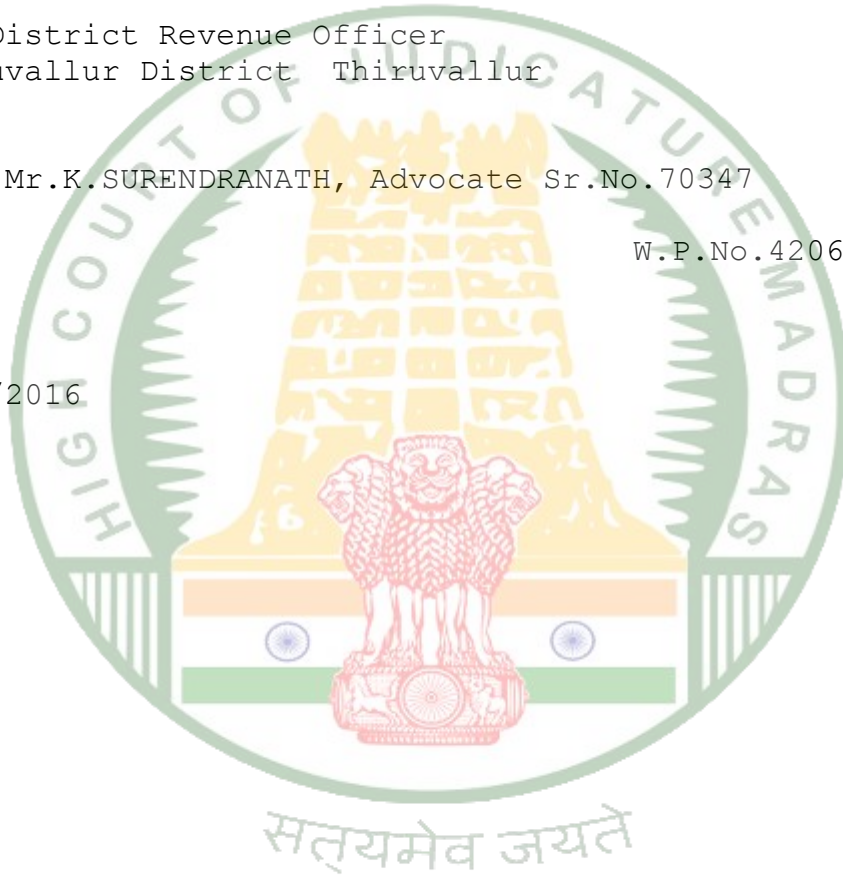
3 The District Revenue Officer
Thiruvallur District Thiruvallur

+ 1 cc to Mr.K.SURENDRANATH, Advocate Sr.No.70347

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CO/KS

RRI 29/12/2016



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