

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.43565 of 2016

Senguttuvel

.. Petitioner

Vs

The Special District Revenue Officer (LA) N.H.68,
Competent Authority,
Door No.3B/8, Ram Nagar Road,
Swarnapuri (2nd Gate),
Salem – 636 004.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondent to consider the representation dated 01.12.2016 of the petitioner in the light of Section – 3(E) of the National Highways Act, 1956 and provide reasonable time to vacate the acquired portion of the land comes under Survey Nos.77/B2 and 77/4B to an extent of 541 square meter situated in Tulukanur Village, Attur Taluk, Salem District.

For petitioner : Mr.D.Muthukumar

For Respondent : Mr.M.Elumalai, GA

ORDER

By way of filing this writ petition, the petitioner seeks a direction to the respondent / the Special District Revenue Officer, Competent Authority, Salem, to consider his representation dated 01.12.2016 in the light of Section 3(E) of the National Highways Act, 1956, with a further direction to the respondent to provide reasonable time to vacate the acquired portion of his lands in Survey Nos.77/B2 and 77/4B to an extent of 541 square meter, situated at Tulukanur Village, Attur Taluk, Salem District.

2. It is seen that the petitioner's lands, covered in Survey Nos.77/B2 and 77/4B having an extent of 541 square meter, were acquired by the Central Government under the National Highways Act, 1956, during the year 2009, for the purpose of enlarging the National Highways-68. In the said acquired land, he was running Sago Factory. It is further stated that he has also received the compensation of Rs.43,27,000/- for such acquisition from the Government. Therefore, now, the only grievance of the petitioner is that as per Section 3(E) of the National Highways Act, 1956, he may be permitted to vacate all the machineries installed in the said land within 60 days.

3. Mr.M.Elumalai, learned Government Advocate, after getting instruction from one Mr.Dinakaran, Revenue Inspector, Special Tahsildar (LA), Attur, who is also present in the Court, submitted that the petitioner is entitled to get only 45 days for vacating the said acquired land in question.

4. Recording the above said statement, this Court directs the petitioner to vacate the acquired lands in question within a period of 45 days from today. With such direction, the writ petition is disposed of. No Costs. WMP.No.37393 of 2016 is closed.

20.12.2016

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Index:yes/no

Note to Office:

Issue order copy by today itself

To

The Special District Revenue Officer (LA) N.H.68,
Competent Authority,
Door No.3B/8, Ram Nagar Road,
Swarnapuri (2nd Gate),

Salem – 636 004.

T.RAJA, J.

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