

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2017

CORAM

THE HON'BLE Mr. JUSTICE **M.M.SUNDRESH**

W.P.No.39302 of 2016

and

W.M.P.Nos.33640 and 33641 of 2016

1.N.Ethiraj Chettiyar
2.E.Senthil Kumar

.. Petitioners

Vs.

1.The Director of Planning,
National Highways Authority of
India, Plot No.26, I Floor,
V.G.P. Nagar West,
Vazhuthareddy Post,
Villupuram - 605 401.

2.The Authorised Officer (Land
Acquisition) and
The Special District Revenue Officer,
National Highways - 66,
Villupuram.

3.The District Collector,
Villupuram District, Villupuram.

4.The Revenue Divisional Officer,
Tindivanam, Villupuram District.

5.The Special Tahsildar
(Land Acquisition),
NH 66, Tindivanam, Villupuram Dist.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the respondents, particularly the third respondent's impugned appeal order dated 25.02.2016 vide Ref.Na.Ka.(Arbit.)B2/6405/2015 filed against the land acquisition proceedings of the fifth respondent dated 12.06.2013 vide Ref.Na.Ka.Aa/Tha.Ma.Va.Aa/Ne.Ea/The.Ne.66/386/2011 and quash the same and consequently direct the respondents, particularly the third respondent to reconsider an increased award of compensation for the petitioner's acquired lands with rice mill, situated at Salai Village, Tindivanam Taluk, Villupuram District, comprised in Survey No.69/2 (New Survey No.115/2-00152 sq.mtrs and 115/3-00230 sq.mtrs) to a total extent of 00382 sq. mtrs.

For Petitioner	..	Mr.R.Thanjan
For Respondents	..	Ms.S.R.Sumathy for R1 Mr.S.Diwakar, Spl. Govt. Pleader for R2 to R5

ORDER

Challenging the impugned order dated 25.02.2016 passed by the third respondent and for a consequential direction to the third respondent to reconsider an increased award of compensation for the petitioners' lands, the present writ petition has been filed.

2.The grievance of the petitioners is that they have not been paid adequate compensation for the lands acquired. Admittedly, the petitioners have got a remedy before the District Court by filing land acquisition open petition. Thus the writ petition is disposed of, giving liberty to the petitioners to file such a petition within a period of four weeks from the date of receipt of a copy of this order. As and when such a petition is filed, the jurisdictional Court shall take the same on record and dispose it without any reference to the period of limitation. The petitioners are also at liberty to proceed to recover the compensation amount fixed as per the proceedings dated 21.10.2016, which is stated to be available in the revenue deposit. No costs. Consequently, connected miscellaneous petitions are closed.

20.03.2017

Index:Yes/No
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Note: Registry is directed to return the original impugned order to the learned counsel for the petitioners after getting necessary endorsement.

M.M.SUNDRESH, J.

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To

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