

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P. (MD) No.14910 of 2014****and****M.P. (MD) No.1 of 2014**

Aathammal

... Petitioner

-vs-

1. The Competent Authority-cum-District Revenue Officer,
Dindigul District,
Dindigul.

2. The Special Tahsildar (Land Acquisition),
National Highway No.209,
Bye Pass Road Scheme,
Ottanchathiram Taluk,
Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents more particularly the 1st respondent to follow the procedure enumerated U/s 3 H of the National Highways Act in so far as the properties in Survey Nos.498/2B1 498/2B3 499/1B and 499/1C situated at Ottanchathiram village referred in Serial Nos.255 to 258 in the public notice published in the Tamil Daily Dinamani dated 01.06.2013 and pass such further or other orders.

For Petitioner	: Mr.D.Venkatesh
For Respondents	: Mr.B.Pugalendhi
	Addl. Advocate General

ORDER

This writ petition has been filed, seeking a direction to the respondents more particularly the 1st respondent to follow the procedure enumerated under Section 3-H of the National Highways Act insofar as the properties in Survey Nos.498/2B1, 498/2B3, 499/1B and 499/1C situated at Ottanchathiram village referred to in Serial Nos.255 to 258 in the Public Notice published in the Tamil Daily Dinamani dated 01.06.2013.



2. Heard the learned counsel for the petitioner and the learned Additional Advocate General appearing for the respondents.

3. The grievance of the petitioner is that the 1st respondent is taking hasty steps to disburse the compensation amount without following the due procedures as required under the provisions of the National Highways Act. Therefore, the petitioner is before this Court with the above prayer.

4. The main relief sought for in this writ petition is to direct the 1st respondent to follow the procedures enumerated under Section 3-H of the National Highways Act, while acquiring the properties of the petitioner. Of course, absolutely, there cannot be any rival submissions insofar as the prayer of the petitioner in this petition is concerned, as it is the bounden duty of the 1st respondent to follow the same. Hence, this petition is disposed of with a direction to the 1st respondent to follow the procedures enumerated under Section 3-H of the Act before proceeding further in the matter.

5. With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Competent Authority-cum-District Revenue Officer,
Dindigul District,
Dindigul.
2. The Special Tahsildar (Land Acquisition),
National Highway No.209,
Bye Pass Road Scheme,
Ottanchathiram Taluk,
Dindigul District.

+1cc The Spl.Government Pleader SR.No.65327

AR/RM

VB/MR/KKR/SAR4/20.07.2017/2P/4C