



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.13087 of 2017

Mohan

.. Petitioner

Vs.

1. The Special District Revenue Officer,
Land Acquisition National Highways,
Thiyagaraja Nagar, Tirunelveli.
Now shifted as
Near Collector Office, Nagercoil,
Kanyakumari District.

2. The Special Tahsildar,
Land Acquisition National Highways,
D.No.6, Thiruvalluvar Nagar,
Kesavathiruppuram,
Vettoorani Madam Post, Nagercoil.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.05.2015 and to take necessary action under the National Highways Act.

For Petitioner : Mr.M.Ramu

For Respondents : Mr.G.Muthukannan
Government Advocate.

ORDER

This writ petition has been filed by the petitioner to issue a writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.05.2015 and to take necessary action under the National Highways Act.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>
3.By Consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.



4. Heard both sides.

5. According to the petitioner, he is the owner of the land in Survey No.730/2, admeasuring 1.01.0 Ares, which situates in Kulasekarapuram Village. In the year 2010, the respondents acquired the said land for extension of National Highways No.47, without issuing any notice to him. For getting compensation, the petitioner made a representation dated 21.05.2015 along with all relevant documents to the respondents. But, there was no response, till now.

6. The learned counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 21.05.2015, is disposed of by the respondents as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 21.05.2015, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to submit a copy of the representation along with copy of this order to the respondents. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

8. The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Special District Revenue Officer,
Land Acquisition National Highways,
Thiyagaraja Nagar, Tirunelveli.
Now shifted at
Near Collector Office, Nagercoil,
Kanyakumari District.



2. The Special Tahsildar,
Land Acquisition National Highways,
D.No.6, Thiruvalluvar Nagar,
Kesavathiruppuram,
Vettoorani Madam Post, Nagercoil.

WEB COPY

+1cc to Mr.M.Ramu, Advocate in SR.No.65725

+1cc to The Special Government Pleader in SR.No.66151

smn

AE/MR KKR/SAR1/27.07.2017/3P/5C

ORDER MADE IN
W.P(MD)No.13087 of 2017
17.07.2017