



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) No.20046 of 2017

Ashokan

... 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 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.05.2015 and 28.10.2017 to take necessary action under the National Highways Act.

For Petitioner : Mr.M.Ramu
For Respondents : Mr.T.S.Mohamed Mohideen
Addl. Govt. Pleader

ORDER

This writ petition has been filed, seeking a direction to the respondents to consider the petitioner's representation dated 21.05.2015 and 28.10.2017 to take necessary action under the National Highways Act.

2. Mr.T.S.Mohamed Mohideen, the learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that though his land has not been earmarked for acquisition for extension of National Highways No.47, some stones have been laid on his property without issuance of any notice to him. The respondents have also not complied with the process as contemplated under the National Highways Act, in case they want to utilize the same for the said



purpose. The petitioner has submitted a representation dated 21.05.2015 followed by a reminder dated 28.10.2017 to the respondents for following due procedures under the Act, payment of compensation etc. Since there was no response on the said representations, the petitioner is before this Court seeking above direction.

4. The learned Additional Government Pleader appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders passed thereon.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the 1st respondent to consider the representation submitted by the petitioner dated 21.05.2017 followed by the reminder recently sent on 28.10.2017 and pass necessary orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner as well as for production of required documents.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To:

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

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Kesavathiruppuram,
Vettoorani Madam Post,
Nagercoil.

+ 1 cc TO Mr.M.Ramu , Advocate in SR No. 84754
+1cc to The Special Government Pleader in SR.No.85046

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AE/SV MMS/SAR2/17.11.2017/2P/5C