



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.10897 of 2016

K.Pasupathy

... Petitioner

Vs.

1.The Special District Revenue Officer,
Land Acquisition National Highways,
Thiyagaraja Nagar, Tirunelveli,
Now Shifted
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

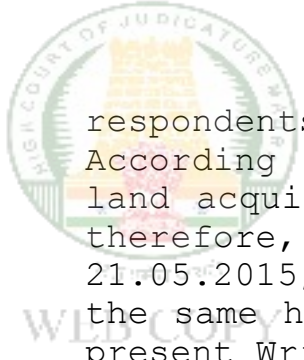
PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 21.05.2015 and to take necessary action under the National Highways Act.

For Petitioner : Mr.M.Ramu
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

ORDER

The petitioner seeks for a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 21.05.2015 and to take necessary action under the National Highways Act.

<https://hcservices.courts.gov.in/hcservices/case>
The case of the petitioner is that the petitioner's property in Survey No. 730/6, to an extent of 0.32.5 hectares, situated at Kulasekarapuram Village, was acquired by the



respondents herein for extension of National Highways No.47. According to the petitioner, the respondents carried out the said land acquisition, without following the National Highways Act and therefore, the petitioner submitted a representation dated 21.05.2015, before the respondents for necessary compensation. As the same has not been considered so far, the petitioner filed the present Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. 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 the National Highways Act, for which, the learned Special Government Pleader appearing for the respondents shows no objection.

5. Considering the facts and circumstances of the case, 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 National Highways Act, 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.

6. With the above direction, this Writ Petition is disposed of. No costs.

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
Near Collector Office, Nagercoil,
Kanyakumari District.

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

+One cc to Mr.M.Ramu, Advocate, SR.No.68193

+One cc to The Special Government Pleader, SR.No.68929

gk/smn

RL/5C/2P/KK/SAR1/7/8/2017