

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.6788 of 2018

Linga Parquet Industries Private Limited,
Rep. By its Director Murukesu Lankalingam

... Petitioner

Vs.

1. Union of India,
Rep. By Secretary,
National Highways Department,
New Delhi 110 001.
2. The Project Director,
National Highways Authority of India,
'SRI TOWER' 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai - 600 032.
3. The District Collector,
Tiruvallur District,
Tiruvallur.
4. The Competent Authority and
Special District Revenue Officer (Land Acquisition),
National Highways 205,
Tiruvallur.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the fourth respondent to grant compensation under the repealed Land Acquisition Act 1894 as amended under Sections 23 (1-A), 23 (2), 28 and other provisions of the said Act as declared in Civil Appeal No.129 to 159 of 2014 by the Apex Court dated 21.07.2016 in Union of India and others vs T.Chakrapani and others pertaining to the petitioners lands in Old Survey No.104B/1A, 105B/1 and 105B/3 and in New Survey No.104B/1A2, 105B/1 and 105B/3b measuring an extent of 578, 350, 834 sq.mts. Respectively at Karanodai Village, Ponneri Taluk, Tiruvallur District.

For Petitioner : M/s.David Tyagaraj

For Respondents : M/s.S.R.Sumathy (for R2)
Mr.E.Neelakandan, G.A. (for RR3 & 4)

ORDER

The petitioner has filed this petition to issue a Writ of Mandamus to direct the fourth respondent to grant compensation pertaining to the acquisition of the petitioner's lands in Old Survey No.104B/1A, 105B/1 and 105B/3 and in New Survey No.104B/1A2, 105B/1 and 105B/3b, measuring an extent of 578, 350, 834 sq.mts. respectively at Karanodai Village, Ponneri Taluk, Tiruvallur District.

2. It is submitted by the learned counsels on either side that the issue involved in this Writ Petition is covered by a decision of this Court in W.P.No.21735 of 2016, dated 25.01.2018. The relevant portion of the above said order reads as follows:

"7. Turning to the present case, since petitioners' representations are pending consideration, the same has to be disposed of on the basis of the order passed by the Hon'ble Apex Court in Civil Appeal Nos.129 to 159 of 2014, dated 21.07.2016. Stricto sensu there is nothing for the respondent to consider since the Supreme Court itself has directed payment of solatium and interest payable. Therefore, the second respondent is directed to dispose petitioner's pending representations dated 06.02.2017 and 09.03.2017, consistent with the directions of the Supreme Court in Civil Appeal Nos.129 to 159 of 2014 within a period of four weeks from the date of receipt of a copy of this order and make payment expeditiously without driving the petitioners to approach the Court yet another time.

In the result, this petition is allowed with the above direction. No costs."

3. In the light of the above order of this Court, the Writ Petition is disposed of in the same terms as extracted above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary,
Union of India,
National Highways Department,
New Delhi 110 001.
2. The Project Director,
National Highways Authority of India,
'SRI TOWER' 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai - 600 032.
3. The District Collector,
Tiruvallur District,
Tiruvallur.
4. The Competent Authority and
Special District Revenue Officer (Land Acquisition),
National Highways 205,
Tiruvallur.

+2cc to Mr. David Tyagaraj, Advocate, S.R.No.22621

+1cc to M/s. S.R. Sumathy, Advocate, S.R.No.23263

MP (CO)

RRK (26/04/2018)



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