

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No. 24885 of 2018

G.Chandran

... Petitioner

Vs.

1.The District Collector,
Office of Collectorate,
Thiruvallur District.

2.The Government of Tamilnadu,
Rep. By Special Deputy Collector- Land Acquisition,
Tamilnadu Urban Development Project III,
Poonamalle, Chennai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a WRIT OF MANDAMUS, directing the respondent i.e., The Collector, Thiruvallur District to consider the petitioner's representation dated 06.03.2018 to refer the matter for determining the compensation to the Court under section 20 of the Tamil Nadu Highways Act.

For Petitioner : Mr.K.Chandrasekaran

For Respondents : Mr.C.Thirumaran
Special Government Pleader

O R D E R

This writ petition has been filed seeking a direction to the first respondent to consider the petitioner's representation for referring the award under Section 20 of the Tamil Nadu Highways Act.

2. The case of the petitioner is that the petitioner's land is sought to be acquired by the Highways Department. Subsequently, the award was also passed. Thereafter, challenging the acquisition proceedings, the petitioner has filed a writ petition in W.P.No.19082 of 2012 and the same was originally allowed on 02.08.2012. Challenging that said order, the High Ways Department filed a Writ Appeal in W.A.No.2675 of 2012 and the Division Bench of this Court by an order dated 07.11.2017, set aside the order made in W.P.No.19082 of 2012 and permitted

the petitioner to file necessary application for making reference under Section 20 of the Tamil Nadu Highways Act. Pursuant to the same, the petitioner has filed a petition on 06.03.2018 before the first respondent/District Collector seeking for reference, but so far, the petitioner's representation was not considered.

3. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. Considering the limited prayer sought for in the writ petition, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation dated 06.03.2018 and pass suitable orders on merits and in accordance with law, after giving opportunity to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

mrp

To

1.The District Collector,
Office of Collectorate,
Thiruvallur District.

2. The Special Deputy Collector- Land Acquisition,
The Government of Tamilnadu,
Tamilnadu Urban Development Project III,
Poonamalle, Chennai.

+1cc to Mr.K.Chandrasekaran, Advocate SR.No.65895

+1cc to Government Pleader SR.No.65836

W.P. No. 24885 of 2018

GMV (22/10/2018)