



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.05.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.11352 of 2018

A.Rajendran

: Petitioner

Vs.

1.The Special District Revenue Officer,
(Land Acquisition),
National Highways,
Tiruchirappalli-1.

2.The Project Director,
National Highways Authority of India,
Office of the Project Director, P.I.U.
New No.6 (Old No.44), First Floor,
II Main Road, Ponnagar,
Tiruchirappalli-620 001.

3.The Special Tahsildar,
(Land Acquisition),
National Highway No.45,
Trichy-Dindigul Section,
District Collectorate Office,
(Old Building), Trichy.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the third respondent to pay compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) to the petitioner for his land measuring about 13 cents in Survey No.304/7J at Kannudaiyanpatti Village, Manapparai Taluk, Tiruchirappalli District acquired by the respondents by considering his representation dated 11.05.2018.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader**O R D E R**

The petitioner has come forward with this Writ Petition seeking a Writ of Mandamus to direct the third respondent to pay compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act



30 of 2013) to the petitioner for his land measuring about 13 cents in Survey No.304/7J at Kannudaiyanpatti Village, Manapparai Taluk, Tiruchirappalli District acquired by the respondents by considering his representation dated 11.05.2018.

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

3.According to the petitioner, the land was acquired under the National Highways Act, 1956, pursuant to the notification in Na.Ka.No.D948/2009 dated 24.02.2010 and the petitioner has also received the compensation insofar as the first notification which covered 27 cents land is concerned and seeking for enhancement of those proceedings that has been filed separately, insofar as the 13 cents of acquired land is concerned, the petitioner has challenged the acquisition proceedings in W.P(MD).No.5366 of 2011 before this Court and the same was dismissed and challenging the aforesaid order passed in the said petition, Writ Appeal has been preferred in W.A (MD).No.581 of 2016 and the same was also dismissed on 20.02.2018. Now, the third respondent issued a proceedings on 04.05.2018, to appear for enquiry to dispose the compensation for land acquired. The third respondent has directed the petitioner to submit a written representation and the same was submitted on 11.05.2018. Now, the present writ petition has been filed before this Court, to consider the above said representation dated 11.05.2018.

4.The learned Special Government Pleader appearing for the respondents would submit that if the said representation is pending, the same shall be considered in accordance with law.

5.In view of the above, this Court without expressing any opinion on merits in this matter, inclined to direct the third respondent to consider the petitioner's representation dated 11.05.2018 on merits in accordance with law as expeditiously as possible.

6.With the above directions, this Writ petition is disposed of. No costs.

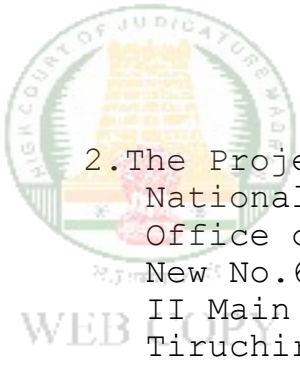
Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The Special District Revenue Officer,
(Land Acquisition),
National Highways,
Tiruchirappalli-1.



2.The Project Director,
National Highways Authority of India,
Office of the Project Director, P.I.U.
New No.6 (Old No.44), First Floor,
II Main Road, Ponnagar,
Tiruchirappalli-620 001.

3.The Special Tahsildar,
(Land Acquisition),
National Highway No.45,
Trichy-Dindigul Section,
District Collectorate Office,
(Old Building), Trichy.

+1cc to M/s.T.Lenin Kumar, Advocate, SR.No.66076.
+1cc to Special Government Pleader, SR.No.66189.

W.P. (MD) No.11352 of 2018

TM/RMK

RAM/RSK SKN/SAR 3/25.05.2018/3P/6C