

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.Nos.2239, 2241, 2242, 2245 to 2249, 2251,  
2252, and 2254 to 2258 of 2019

1 G.SANTHA BAI ... PETITIONER in WP No.2239 of 2019  
1 J.CHANDRALEKHA ... PETITIONER in WP No.2241 of 2019  
1 A.R.J.RAMESH ... PETITIONER in WP No.2242 of 2019  
1 DR.J.SATHISH KUMAR ... PETITIONER in WP No.2245 of 2019  
1 DR.M.R.KANTHI RAJ ... PETITIONER in WP No.2246 of 2019  
1 C.RAMAMOORTHY ... PETITIONER in WP No.2247 of 2019  
1 A.MOHAMMED SAYEE ... PETITIONER in WP No.2248 of 2019  
1 S.MANO HAR ... PETITIONER in WP No.2249 of 2019  
1 DR.R.LAKSHMIPATHY ... PETITIONER in WP No.2251 of 2019  
1 K.VENKATESAN ... PETITIONER in WP No.2252 of 2019  
1 T.GIRIJA AMMAL ... PETITIONER in WP No.2254 of 2019  
1 AMMU ... PETITIONER in WP No.2255 of 2019  
1 R.ARUMUGAM ... PETITIONER in WP No.2256 of 2019  
1 DR.P.VENKATESH ... PETITIONER in WP No.2257 of 2019  
1 S.JOHN ... PETITIONER in WP No.2258 of 2019

WEB COPY

Vs

1. Regional Officer,  
Regional Office,  
National Highways Authority of India,  
Chennai - 32.

2. The Project Director (PIU),  
National Highways Authority of India,  
No.259/1, Salem Main Road,  
Krishnagiri -635 001.
3. The Special District Revenue Officer,  
Land Acquisition - National Highways,  
Vellore - 9.

... Respondents in all WPs

COMMON PRAYER in all WPs:-

Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 19.10.2018 and to pass appropriate orders within time frame to compute the compensation by following the mandates of the circulars and to pay the difference of amount of compensation to be paid by the respondents 1 to 3.

For Petitioner in all W.Ps. : Mr.Pa.Sudesh Kumar

For Respondents  
in all W.Ps. : Mr.Su.Srinivasan,  
ASG for R1 & R2.

: Mr.C.Thirumaran,  
Spl.G.P. for R3

#### COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents 1 to 3 to consider the petitioners' representation dated 19.10.2018.

2. The grievance of the petitioners is that the petitioners' lands were acquired under the National Highways Act and an award was also passed in the year 2015, by the third respondent. But, while passing the award, the third respondent did not follow the various circulars issued by the first respondent. Hence, they made representations to the respondents 1 and 2 to follow all those circulars and pass a fresh order. But, that representations were not considered so far. Hence, the present writ petitions have been filed.

3. I have heard both sides and perused the materials available on records carefully.

4. Admittedly, the award has been passed by the third

respondent on 04.07.2015. If at all the petitioner has any grievance over the same, it is always open to the petitioner to seek remedy by filing an arbitration petition before the Arbitrator, under Section 3G(5) of the Act. Once award is passed, the Acquisition Officer has become functus officio, and he has no power to pass any order on the petitioner representation. In the above circumstances, no relief can be granted in the writ petitions.

5. Accordingly, these writ petitions are dismissed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp

To

1. Regional Officer,  
Regional Office,  
National Highways Authority of India,  
Chennai - 32.
2. The Project Director (PIU),  
National Highways Authority of India,  
No.259/1, Salem Main Road,  
Krishnagiri -635 001.
3. The Special District Revenue Officer,  
Land Acquisition - National Highways,  
Vellore - 9.

+1cc to Mr.Pa.Sudesh Kumar, Advocate, S.R.No.7983

+1cc to Mr.Su.Srinivasan,, Advocate, S.R.No.8429

+1cc to the Government Pleader, S.R.No.8757

W.P.No. 2239, 2241, 2242, 2245 to 2249,  
2251, 2252, 2254 to 2258 of 2019

AK(Co)  
CS/25/03/2019