

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.Nos.11156, 11158, 11159 &
11161 & 11163 of 2019

K.Ganesamoorthy .. Petitioner in W.P.No.11156 of 2019
C.Chandrasekaran .. Petitioner in W.P.No.11158 of 2019
K.Kandasamy .. Petitioner in W.P.No.11159 of 2019
S.Puhazhenthir .. Petitioner in W.P.No.11161 of 2019
R.Muthuvelu .. Petitioner in W.P.No.11163 of 2019

Vs.

1.The District Collector /Arbitrator,
Cuddalore District, Cuddalore.
2.The Special District Revenue Officer/
Competent Authority (Land Acquisition),
NH-227, Cuddalore,
Cuddalore District. .. Respondents in all Writ
Petitions

Prayer in all Writ Petitions:-- These Writ Petitions are filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the first respondent to dispose the Statutory Appeal filed under Section 3-G(5) of National Highways Act by the petitioners on 04.02.2019 within a stipulated time.

For Petitioner in
all Writ Petitions : Mrs.Hemalatha

For Respondents in
all Writ Petitions : Mr.M.Elumalai
Government Advocate

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Mr.M.Elumalai, learned Government Advocate takes notice for the respondents. By consent, these Writ Petitions are taken up for final disposal.

2. These Writ Petitions have been filed for issuance of Writ of Mandamus, directing the first respondent to dispose the Statutory Appeal filed under Section 3-G(5) of National Highways Act by the petitioners dated 04.02.2019 within a stipulated time.

3. The case of the petitioners is that the second respondent acquired the lands of the petitioners situated in Cuddalore District for the purpose of "widening and lay down the four road junction" and subsequently Award was also passed on 16.07.2018. Since the compensation awarded by the second respondent was low, the petitioners have filed Statutory Appeal dated 04.02.2019 to the first respondent for enhancement of compensation under Section 3-G(5) of the National Highways Act. However, so far, no order has been filed. Hence, these Writ Petitions.

4. The learned Government Advocate on instructions from Mr.M.Anthoni Sami, (PA Legal, Cuddalore], who is present before this Court would submit that Statutory Appeal filed by the petitioners are still pending before the first respondent. It is further submitted that the said Appeals will be considered within a time frame as fixed by this Court.

5. In the light of the submissions and also considering the limited scope of prayer sought for in these writ petitions, this Court, without going into merits of the case, directs the first respondent to consider the Statutory Appeal filed by the petitioners under Section 3-G(5) of the National Highways Act, dated 04.02.2019 and pass appropriate orders on merits and in accordance with law, after providing opportunity to the petitioners, as expeditiously as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions are disposed of. There is no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector/Arbitrator,
Cuddalore District, Cuddalore.

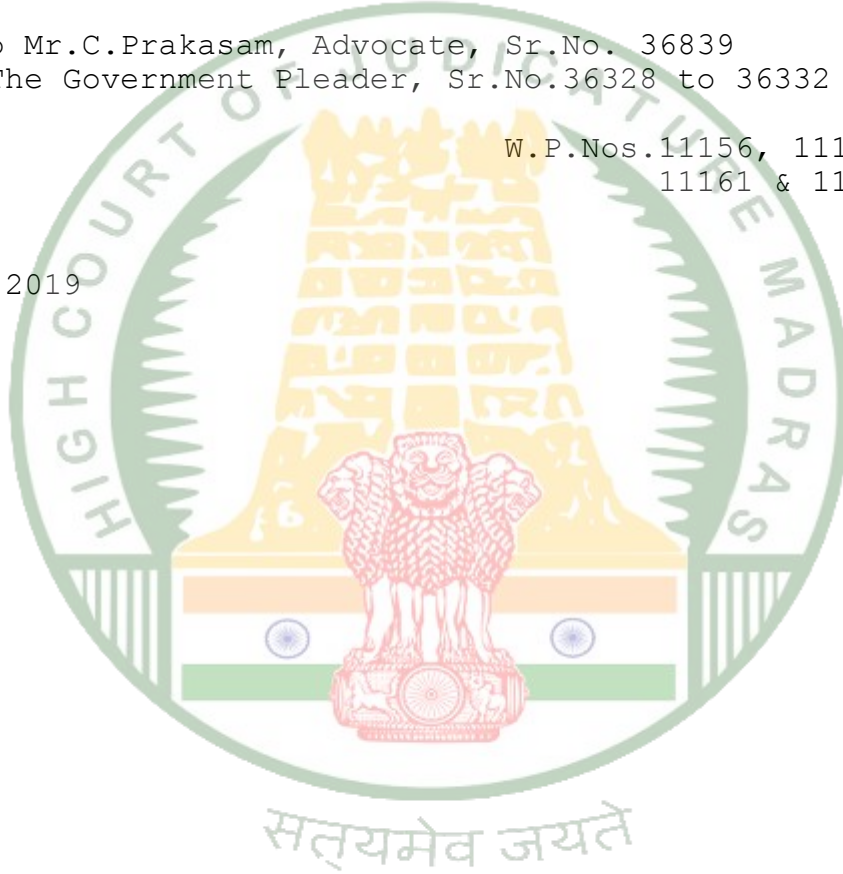
2.The Special District Revenue Officer/
Competent Authority (Land Acquisition),
NH-227, Cuddalore,
Cuddalore District.

+5 cc's to Mr.C.Prakasam, Advocate, Sr.No. 36839

+1 cc to The Government Pleader, Sr.No.36328 to 36332

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SVI (CO)
CSL/29.04.2019



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