

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P.No.17226 of 2019

1.R.Manivannan

2.R.Kamalakannan

... Petitioners

Vs.

1. Union of India,
Rep. by the Secretary to Government,
Ministry of Road and Transport and Highways,
New Delhi
2. The Competent Authority-cum-
Special District Revenue Officer(L.A.),
National Highways 227,
Tiruchirapalli / Ariyalur,
O/o. The Old District Collector Office,
2nd Floor,
Trichy
3. The Special Tahsildar(L.A.),
National Highways 227, Unit-2,
Udayarpalayam,
Udayarpalayam Taluk,
Ariyalur District
4. The National Highways Authorities of India,
Rep. by the Project Director, Project Implementation Unit-
Villupuram, Having Office at Vazhuthureddy layout,
Villupuram
(R4 is impleaded vide court order dated 16.08.2019 by GJJ
in WP.No.17226 of 2019) ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider the petitioner's objection dated 23.02.2019 and 04.04.2019.

For Petitioner : No Appearance
For R1 : Mr.T.V.Krishnamachari
For R2 & R3 : M/s.S.R.Sumathy
For R4 : Mr.G.Karthikeyan

ORDER

The writ petition has been filed to direct the respondents to consider the petitioner's objection dated 23.02.2019 and 04.04.2019.

2. No representation for the petitioner. Affidavit perused.

3. The case of the petitioner is that his land has been identified for erection of toll plaza by the fourth respondent / The National Highways Authority of India. Accordingly to the petitioner, the land owned by the Government is available 500 meters near his patta land and therefore the acquisition of his land for toll plaza can be dropped.

4. The respondent counsel appearing for the respondent took notice and got instructions from the Authorities. The Tahsildar of the area is also present today before this Court. It is submitted that the land which is referred by the petitioner herein is not a Government Poramboke land but the area marked as reserved forest and that land cannot be acquired for establishing toll plaza on the Highways. Therefore after proper consideration and deliberation, the Government as well as the Officials of the National Highways Authority of India has decided to erect toll plaza in the petitioner's land.

5. Considering the submissions made by the learned counsel for the respondent, the writ petition is dismissed. However, if the respondent have not paid compensation to the petitioner so far, the same shall be paid in accordance with law within a period of eight weeks from today. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

lok

To

1.The Secretary to Government,
Union of India,
Ministry of Road and Transport and Highways,
New Delhi

WEB COPY

- 2.The Competent Authority-cum-
Special District Revenue Officer(L.A.),
National Highways 227,
Tiruchirapalli / Ariyalur,
O/o. The Old District Collector Office,
2nd Floor,
Trichy
- 3.The Special Tahsildar(L.A.),
National Highways 227, Unit-2,
Udayarpalayam,
Udayarpalayam Taluk,
Ariyalur District
- 4.The National Highways Authorities of India,
Rep. by the Project Director, Project Implementation Unit-
Villupuram, Having Office at Vazhuthureddy layout,
Villupuram
- +1 CC to Mr.G.Karthikeyan, Advocate sr 79422.
+1 CC to Mr.T.V.Krishnamachari, Advocate sr 79439.
+1 CC to Mr.M. Gnanasekaran, Advocate sr 79894
+1 CC to Govt. Pleader sr 80186.

W.P.No.17226 of 2019

RR(CO)
SP(23/10/2019)

सत्यमेव जयते

WEB COPY