

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.18553 of 2019

K.Nalene Prasad

.. Petitioner

/versus/

- 1.Union of India,
Rep.by Secretary,
National Highways Department,
New Delhi.
- 2.The Secretary to Government,
Government of India,
Ministry of Shipping (Road Transport and Highways)
New Delhi.
- 3.National Highways Authority of India,
Rep by its Project Director,
Incharge of NH-4,
PIU Sri Tower 3rd Floor,
DP.34(SP) Industrial Estate,
Guindy, Chennai-600 032.
- 4.The Arbitrator/The District Collector,
Collector Office,
Thiruvallore District.
- 5.District Revenue Officer (L.A.),
N.H.A.I., R.D.O.Office Building,
Collectors office Complex,
Kancheepuram-631 501.
- 6.The Competent Authority (L.A.),
NH-4, Viding for Nerkundram,
Poonamallee,
Thiruvallore District.
Chennai-600 056.
- 7.The Special Thasildhar (N.H.A.I),
Taluk Office Compound,
Poonamalle,
Chennai-600 056.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider petitioner's representation dated 24.12.2018 and further direct the respondents to pay interest and solatium.

For petitioner : Mr.Silambuselvan

For Respondents : Mr.T.V.Krishnamachari
S.P.C.CG for R1 & R2
Mr.G.Karthikeyan for R3
Mr.D.Raja
Addl.Govt.Pleader for R4 to R7

O R D E R

The short prayer sought by the petitioner herein is that, part of his land and building was acquired for expansion of Poonamalle High Road by the National Highways Department under the National Highways Act. The acquisition proceedings was initiated in the year 2005, culminated in passing of the award after disposing of the batch of writ petitions filed by the land owners.

2. The petitioner herein has made a representation to the respondents to give additional compensation with solatium and interest as per the order passed by the Hon'ble Supreme Court.

3. The learned counsel appearing for the National Highways Authority would submit that the order passed by the Hon'ble Supreme Court in Civil Appeal No.129 to 159 of 2014 dated 21.07.2016 was not applicable to the petitioner herein and he is not entitled for any additional compensation or solatium as per the representation given by the petitioner herein on 24.12.2018 and the same has been communicated to him.

4. The grievance of the petitioner is that though the respondents have received his representation dated 24.12.2018, so far, they have not passed any order on the representation of the petitioner, therefore, this Court directs the concerned respondent to consider the representation and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

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

rpl

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Union of India,
National Highways Department,
New Delhi.
- 2.The Secretary to Government,
Government of India,
Ministry of Shipping (Road Transport and Highways)
New Delhi.
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National Highways Authority of India,
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Chennai-600 056.

+1cc to Mr.G.Karthikeyan, Advocate, SR.No.77216
+1cc to the Govt.Pleader, Vide Sr.No.76893
+1cc to Mr.S.Silambu Selvan, Advocate, SR.No.76715
+1cc to Mr.T.V.Krishnamachari, Advocate, SR.No.76701

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Kak(03.10.2019)