



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.7352 of 2019

and

W.M.P. (MD) No.5864 of 2019

S.Jeyaraj

... Petitioner

Vs

1.The District Collector,
O/o.District Collector,
Tuticorin.

2.The Competent Authority,
The District Revenue Officer (LA),
O/o.District Revenue Officer,
Tuticorin.

3.The National Highways Authority of India,
O/o.Deputy General Manager (Tech)
Cum Project Director,
Project Implementation Unit,
Near Mattuthavani Bus Stand,
Melur Road, Madurai - 107.

4.The Project Director,
Project Implementation Unit,
The National Highways Authority of India,
Tuticorin.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the offending construction put up near the Toll gate in the entire road margin stretch of the area in S.F.No.43/2B2 portion of which was a acquired for formation of four way Highways Road so as to enable the petitioner to reach his land which is situated behind the acquired portion of land in the said survey number at Kumaragiri village, Pudukkottai, Tuticorin district, by considering the representations dated 11.12.2017 and 09.04.2018 of the petitioner.

For Petitioner : Mr.S.Siva Thilakar

For Respondents : Mr.K.Mu.Muthu

Addl. Govt. Pleader for R1 & R2

: Mr.Su.Srinivasan for R3 & R4

**ORDER**

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing for the National Highways Authority of India.

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2.The petitioner claims to own the petition mentioned land in S.F.No.43/2B2 in Kumaragiri Village, Pudukottai District. He is aggrieved by the manner in which the National Highways Authority of India had put up a construction near the Toll gate. According to him, his access to his land has been blocked by the said construction. Seeking its removal, this writ petition has been filed.

3.When the matter was taken for hearing, the learned standing counsel appearing for the National Highways Authority of India submitted that if proper representation is submitted to the fourth respondent seeking access to his land, the same would be considered on merits and in accordance with law and disposed of within a period of four weeks from the date of the representation.

4.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To:

- 1.The District Collector,
Office of the District Collector,
Tuticorin.
- 2.The Competent Authority,
The District Revenue Officer (LA),
O/o.District Revenue Officer,
Tuticorin.

+1CC TO MR.S.SIVA THILAKAR, Advocate Sr. No.61855
+1CC TO MR.SU.SRINIVASAN, Advocate Sr. No.62249
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.62149

W.P. (MD) No.7352 of 2019**23.04.2019**