

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.1943 of 2021

T.Manikandan

...Petitioner

-Vs-

1. Special District Revenue Officer,
(Land Acquisition),
National Highways 45A & 227.
Collectorate,
Cuddalore.

2. Special Thasildar,
(Land Acquisition),
National Highways 45A,
Chidambaram,
Cuddalore District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to dispose the petitioner's representation dated 06.02.2020, 12.10.2020, 20.10.2020 and 03.11.2020 within a period of 2 weeks.

For Petitioner : Mr.A.Muthukumar

For Respondents : Mr.D.Raja

Additional Government Pleader

ORDER

The petitioner introduces himself as a trustee of Keni Madam @ Nithyanandha Samy Madam at Chidambaram. He further states that the trust owns about 7.17 acres of agricultural land. Part of the property of the trust has already been acquired by the second respondent for purposes connected with National Highways and for the sale of the reminder area, the trust has already obtained necessary sanction from the Principal District Court, Cuddalore in O.S.No.202 of 2019. Now, when he wants to transact this, the Registration Department officials require a NOC from the National Highways Department.

2.The learned counsel for the petitioner submits that the National Highways Department has acquired only part of the property and NOC is required for that part which is not acquired by the National Highways.

3.Mr.D.Raja, learned Additional Government Pleader entered appearance for the respondents and made a statement that the representation of the petitioner is not limited to

what is now prayed in the Writ Petition but, goes far beyond that and added that in the representation, the petitioner seeks NOC for receiving compensation.

4.Now, apparently, there are two conflicting statements made by rival counsel but, this Court opts to go by the prayer made in the Writ Petition. Since the learned Additional Government Pleader stated that the petitioner has not sought a NOC for sale of that portion of the trust property which is not acquired, he may prefer a fresh representation and the Authorities concerned will consider that after verifying their records.

5.This Court therefore, now directs the petitioner to file a fresh representation with specific particulars and with a clear statement on the nature of NOC he requires to the second respondent within a period of four (4) weeks from the date of receipt of a copy of this order. Whereupon, the second respondent shall consider the same after verifying the records pertaining to the acquisition and dispose of the representation within a period of eight (8) weeks thereafter.

6.The Writ Petition is disposed of accordingly. No costs.

s/d

Assistant Registrar(IV)

True Copy

Sub-Assistant Registrar

Tsg

To

1. The Special District Revenue Officer,
(Land Acquisition),
National Highways 45A & 227.
Collectorate,
Cuddalore.

2. The Special Thasildar,
(Land Acquisition),
National Highways 45A,
Chidambaram,
Cuddalore District.

+1cc to Mr.A.Muthukumar, Advocate, SR.No.9073
+1cc to the Government Pleader, SR.No.8789

Order made in
W.P.No.1943 of 2021

NMI (CO)
KKV/10/03/2021

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