



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NOS.1274 & 1279 OF 2019

AND

W.M.P.NOS.1426 & 1431 OF 2019

1. S.Rajendra Kumar

2. D.Shobakmal

3. M.Harihinth

... Petitioners in
W.P.No.1274 of 2019

1. P.Praveen kumar

2. K.Purushothaman

3. P.Saravanan

... Petitioners in
W.P.No.1279 of 2019

-Vs-

The Special District Revenue Officer (LA),
National Highways,
Kancheepuram & Tiruvallur District
at Kancheepuram.

... Respondent in
both W.P's

PRAYER IN W.P.NO.1274 OF 2019:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to consider and pass orders on written representation sent by the petitioners dated 05.12.2018 to disburse compensation award amount after holding detail enquiry for disbursement of compensation award amount to the land acquired at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District measuring an extent of 41½ cents comprised Survey No.310/1 part, as per patta survey No.310/5A, as per new patta No.1250 new survey No.310/5A1 along with awarding of separate proportionate compensation for acquisition of common area involving street and open space common reserved area in the



layout namely "Vigneswara Nagar" at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District after furnishing certified copy of the award.

PRAYER IN W.P.NO.1279 OF 2019:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to consider and pass orders in the written representation sent by the petitioners dated 05.12.2018 to disburse compensation award amount after holding detail enquiry for disbursement of compensation award amount to the land acquired at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District measuring an extent of 36½ cents comprised Survey No.310/1 part, as per patta survey No.310/5B, as per new patta No.1286 new survey No.310/5B1A1A1 along with awarding of separate proportionate compensation for acquisition of common area involving street and open space common reserved area in the layout namely "Vigneswara Nagar" at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District after furnishing certified copy of the award.

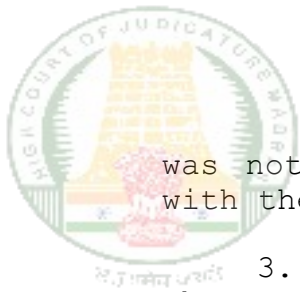
For Petitioners : Mr.K.M.Venugopal
in both WPs

For Respondent
in both WPs : Mr.C.Kathiravan
Special Government Pleader

COMMON ORDER

These Writ Petitions have been filed to direct the respondent to consider and pass orders in the written representation sent by the petitioners dated 05.12.2018 to disburse compensation award amount after holding detail enquiry for disbursement of compensation award amount to the land acquired at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District.

2. The case of the petitioners is that they purchased the property comprised Survey No.310/1 part, to an extent of 41½ cents and 36½ cents respectively, situated at Nemili-B Village, at Sriperumbudur Taluk, Kanchipuram District, from one S.Naattaru Ammal by the registered Sale Deeds dated 06.06.2018 & 10.05.2018, vide document Nos.3563/2018 & 2818/2018 respectively. Thereafter, they came to know that the said lands were already acquired by the respondent herein under the National Highways Act and therefore, the petitioners sent representation for disbursement of compensation. Since the same



was not considered, the petitioners filed these Writ Petitions with the above said prayers.

3. Heard Mr.K.M.Venugopal, learned counsel appearing for the petitioners and Mr.C.Kathiravan, learned Special Government Pleader appearing for the respondent.

4. Admittedly, the petitioners are the subsequent purchasers, after the land acquisition proceedings initiated by the respondent under the National Highways Act. Further the petitioners had no knowledge about the disbursement of compensation to the erstwhile owners. Therefore, the petitioners submitted their representation dated 05.12.2018 before the respondent for disbursement of compensation.

5. Without going into the merits of the case, the respondent is directed to consider the petitioners' representation dated 05.12.2018, after giving opportunity of hearing to the parties concerned and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

6. With the above directions, both the Writ Petitions are disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

The Special District Revenue Officer (LA),
National Highways,
Kancheepuram & Tiruvallur District
at Kancheepuram.

+1cc to the Government Pleader, S.R.No.67528

W.P.NOS.1274 & 1279 OF 2019 AND
W.M.P.NOS.1426 & 1431 OF 2019

JPL(CO)
PBS/10/01/2022