



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.15025 OF 2021

A.Loganathan

... Petitioner

-Vs-

1. The Competent Authority,
Special District Revenue Officer (LA),
National Highways - 45C,
Villupuram.
2. The Special Tahsildar (L.A),
National Highways,
Panruti.
3. The Project Director,
Project Implementation Unit,
National Highways Authority of India,
Thanjavur.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to take appropriate and necessary action in pursuance to the communication dated 29.12.2020 sent by the second respondent as well as the communication dated 29.12.2020 sent by the third respondent in relation to the petitioner's request seeking enhanced compensation for the lands that were acquired under the National Highways Act, 1956.

For Petitioner : Mr.Kumaresh Babu
For Mr.V.Balamurugane

For Respondents

For R1 & R2 : Mr.Yogesh Kannadasan
Special Government Pleader

For R3 : Mr.Su.Srinivasan



ORDER

The Writ Petition has been filed to direct the respondents to take appropriate and necessary action in pursuance to the communication dated 29.12.2020 sent by the second respondent as well as the communication dated 29.12.2020 sent by the third respondent in relation to the petitioner's request seeking enhanced compensation for the lands that were acquired under the National Highways Act, 1956.

2. The case of the petitioner is that he owned land in survey Nos.540/2A, 540/2B and 540/2C1 situated at Kadampuliyur Village, Panruti Taluk. While being so, the respondents during the year 2015 acquired various land for expansion of NH-45C. In pursuant to the said proceedings, the petitioner's land were also acquired. During the time of acquisition, the respondents acquired lands of 7.5 meters of the land structure of the marriage hall and did not acquire the remaining extent of the property. The compensation amount was paid only for the portion of the land and for the remaining portion nothing has been paid. The petitioner cannot put to use of the remaining portion of the lands, which is of no use for any purpose. Therefore, the petitioner made representation seeking enhancement of compensation. By the communication dated 29.12.2020, the second respondent informed the petitioner that the Engineer, National Highways is yet to send the report on the request for revaluation of buildings and once the same is received, the compensation will be paid to the petitioner. Thereafter, the respondents have not taken any further action. Hence the petitioner filed this Writ Petition with the above said prayer.

3. Heard Mr.Kumaresh Babu, learned counsel appearing for the petitioner, Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 & 2 and Mr.Su.Srinivasan, learned counsel appearing for the third respondent.

4. While pending the present Writ Petition, the first respondent by the communication dated 19.07.2021, had determined the compensation payable for the left out constructed portion including septic tank and all other appurtenance for a sum of Rs.13,89,108/- for the land comprised in survey No.540/2A. Further the said estimate of compensation amount will have to be approved by the third respondent.

5. Considering the above facts and circumstances, the third respondent is directed to pass appropriate order on the basis of the communication dated 19.07.2021 sent by the first respondent and disburse the compensation amount to the petitioners within a



period of four weeks from the date of receipt of a copy of this Order.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Competent Authority,
Special District Revenue Officer (LA),
National Highways - 45C,
Villupuram.
2. The Special Tahsildar (L.A),
National Highways,
Panruti.
3. The Project Director,
Project Implementation Unit,
National Highways Authority of India,
Thanjavur.

+1cc to Mr.V.Balamurugane, Advocate, S.R.No.61881
+1cc to the Government Pleader, S.R.No.62230

W.P.NO.15025 OF 2021

RSV(CO)
PBS/05/01/2022