



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No.15123 of 2021

L.Arun @ Murugaiyaa

...Petitioner

Vs.

The Special District Revenue Officer,
Land Acquisition (Full Addl. Charge),
Highways Department,
Greater City Section,
Chennai Corporation Commercial Complex,
New Street, Alandur,
Chennai - 600016.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to pass orders on the petitioner's representation dated 19.02.2021 on merits within a stipulated period as may be fixed by this Court.

For Petitioner .. Mr.N.Mariappan
For Respondent .. Mr.Yogesh Kannadasan
(Govt.Advocate)

ORDER

Let me narrow down the scope of the writ petition to examine the representation dated 19.02.2021 given by the petitioner to the respondent, Special District Revenue Officer, Land Acquisition, Highways Department, Alandur, Chennai.

2. The representation is involved with respect to a litigation in O.S.No.41 of 2008 relating to partition of the lands and the suit is now pending before the Mahila Court, Chengalpet. Pending that particular suit, the petitioner had come to know that the respondent had acquired a small piece of land comprised in the said suit and comprised in S.Nos.400/B1 and 394/1 now new S.No.484/8B. These lands are situated at Velacherry Main Road, Medavakkam Village, Tambaram Taluk. The lands had been acquired for the purpose of Medavakkam to Mambakkam Salai and Mount Medavakkam Salai Junction to Irumbuliyur Salai Marmalong Connection Bridge under the Tamil Nadu Highways Act, 2001. The said land is also the subject



matter of the properties in O.S.No.41 of 2008 which is now pending before the Mahila Court, Chengalpet, in which the petitioner claims an undivided 1/3rd share.

3. The petitioner by way of this writ petition has sought consideration of his representation dated 19.02.2021, which representation he had given seeking a direction to the said respondent not to disburse any award amount or compensation amount without hearing the petitioner. This apprehension has arisen in the minds of the petitioner because he claims that as a 1/3rd share holder, he may be left out, since there is also some alienations made by the defendants in the said suit.

4. Therefore, a direction is given to the respondent herein, that whenever, the award is determined and compensation is to be paid, the petitioner namely, L.Arun @ Murugaiyaa S/o Late.L.Lakshmanan @ Yaghava Munivar, residing at No.11/93 (Old No./861), Vaishnavi Nagar, Medavakkam, Chennai - 600 100, must also be put on notice and must be heard regarding the division of the prorata shares among the claimants to the said award.

5. With the said observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smv
To,
The Special District Revenue Officer,
Land Acquisition (Full Addl. Charge),
Highways Department,
Greater City Section,
Chennai Corporation Commercial Complex,
New Street, Alandur,
Chennai - 600016.

+1 CC to Mr.N.Mariappan, Advocate, Sr.No. 39241.
+1 CC to The Government Pleader, Sr.No. 39765.

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NRL (CO)
LS (27/08/2021)