



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.25821 of 2021

T.Ramapandian

Rep. by his son and Power of
attorney R.Janakiraman

... Petitioner

Vs

1.The Assistant Divisional Engineer(Highways),
Office of the Assistant Divisional Engineer(Highways),
Ka(ma) pa, Tambaram Sub Division,
Chennai 600 042

2.The Divisional Engineer(Highways),
Ka(ma) Pa, Chennai Metropolitan Roads Division,
Office of the Divisional Engineer(Highways),
Chennai 600 015

3.The Assistant Divisional Engineer(Highways),
Ka(ma) pa, Chennai Metropolitan Development
Scheme Sub Division,
Chennai 600 032

4.The Assistant Engineer(Highways),
Office of the Assistant Engineer(Highways),
Tambaram Section,
Chennai 600 042

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 27.09.2021 and to pass final orders after granting a personal hearing to the petitioner's advocate before passing final orders.

For Petitioner : Mr.V.Raghupathi

For Respondents : Mr.C.Kathiravan,
Special Government Pleader



ORDER

This writ petition is filed for direction directing the respondents 1 to 4 to consider the petitioner's representation dated 27.09.2021 and to pass final orders after granting a personal hearing to the petitioner's advocate before passing final orders.

2. Heard, Mr.V.Raghupathi, the learned counsel for the petitioner, and Mr.C.Kathiravan, learned Special Government Pleader appearing for the respondents.

3. The petitioner submitted representation to pay compensation for the acquisition of the land and superstructure, in which he was in possession and enjoyment. Whereas, on perusal of the records, revealed that the petitioner was issued notice under Encroachment Act on 12.08.2021, thereby directed the petitioner to remove the encroachment within a period of seven days, since the subject land is used for widening of ECR road. However, the representation of the petitioner is still pending.

4. Therefore, the second respondent is directed to conduct enquiry and pass orders on the representation of the petitioner dated 27.09.2021 after giving him opportunity of hearing, on merits and in accordance with law within a period of six weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. No order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Assistant Divisional Engineer (Highways),
Office of the Assistant Divisional Engineer (Highways),
Ka(ma) pa, Tambaram Sub Division,
Chennai 600 042.

