



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.06.2021

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.26631 of 2017

C.Dhanasekaran

... Petitioner

Vs.

1.The District Collector, Vellore.

2.The Competent Authority & Special
District Revenue Officer,
Land Acquisition NH-46 & 4),
Collectorate, Sathuvachari, Vellore.

3.The Project Director,
National Highways Authority of India,
Krishnagiri.

... Respondents

Prayer: Petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 18.04.2017 for payment of compensation in respect of the Pattai Sari Amman temple, in M.C.Road, Ambur, sought to be demolished for extension of National Highways.

For Petitioner : No appearance

For Respondents 1 & 2: Mr.Richardson Wilson
Counsel for Government

For 3rd Respondent : M/s.P.Wilson Associates

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents herein to consider the petitioner's representation dated 18.04.2017 for payment of compensation in respect of the Pattai Sari Amman temple, in M.C.Road, Ambur, sought to be demolished for extension of National Highways.

2.The petitioner's land seems to have been acquired by the respondents for the purpose of National Highways Authority of India's road project and in this regard, with regard to the compensation for the acquired land, as according to the



petitioner, no compensation has been awarded or paid to the petitioner, he has given a representation on 18.04.2017 to the first respondent District Collector and the said representation since has not been considered, he has approached this Court by filing the present writ petition.

3.Though there is no representation for the learned counsel appearing for the petitioner side, Mr.Richardson Wilson, learned counsel for Government appearing for respondents 1 and 2 and M/s.P.Wilson Associates appearing for the third respondent would submit that, if at all it is the grievance of the petitioner that, compensation has not been ordered or paid to the petitioner for his land being acquired for National Highways Project and in this regard, if the petitioner has given any request to the first respondent on 18.04.2017 and the same so far if has not been decided or disposed of, certainly that would be considered and disposed of within a time frame that may be stipulated by this Court.

4.Considering the said submission made by the learned counsel appearing for the respondents and taking into account the innocuous nature of the prayer sought for, where, writ of mandamus is sought for to consider the representation of the petitioner on merits and in accordance with law within a time frame, this Court is inclined to dispose of this writ petition with the following orders:

(i) That there shall be a direction to the second respondent to consider the representation of the petitioner dated 18.04.2017 addressed to the first respondent, a copy of which marked by the petitioner to the second respondent, on merits and in accordance with law and pass orders thereon within a period of twelve weeks from the date of receipt of a copy of this order.

(ii) In this context, it is made clear that, if any further input is required to be supplied by the petitioner, such opportunity of hearing also can be given by giving separate notice and after getting such further input from the petitioner, the needful as indicated above shall be undertaken by the second respondent within the time frame stipulated. In this context, if any other interested parties are available to be heard, it is open to the second respondent to hear both parties and ultimate orders to be passed.



5. With these directions, this Writ Petition is disposed of.
However, there shall be no order as to costs.

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s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

Sgl
To

1. The District Collector,
Vellore.

2. The Competent Authority & Special
District Revenue Officer,
Land Acquisition NH-46 & 4),
Collectorate,
Sathuvachari, Vellore.

3. The Project Director,
National Highways Authority of India,
Krishnagiri.

+1 CC to Mr. P. Wilson Associates sr 28039.

W.P.No.26631 of 2017

RLD (CO)
SP (22/07/2021)