

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3057 of 2022

M.Parameswari

...Petitioner

Vs.

1. The Director,
National Highway Authority of India,
No.DP 34 Sri Towers, South Phase,
3rd Floor, Guindy, Chennai.
2. The District Collector,
Chengalput District.
3. The District Collector,
Kancheepuram District.
4. The District Special Revenue Officer (LA)
Chengalput District.
5. The District Special Revenue Officer (LA)
Kancheepuram District.
6. The Tahsildar,
Alandur Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to pass suitable order based on the representation made by the petitioner dated 01.12.2021.

For Petitioner	: Mr.D.Charles Muthu Shanthan
For Respondents	: Mr.G.Krishna Raja Additional Government Pleader

O R D E R

This writ petition has been filed seeking issuance of a Writ of Mandamus, to direct the 1st respondent to pass suitable order based on the representation made by the petitioner dated 01.12.2021 within the stipulated time granted by this Court.

2. The case of the petitioner is that her husband late Muthusamy had purchased the residential plot No.4 in SR No.156/9D, Pammal Village, Alandur Taluk from one Ranganayaki Ammal. Subsequently, all the revenue records were mutated in the name of the petitioner's husband. While being so, without any notice, the lands were acquired by the National Highways Department, including the land of the petitioner's husband for the purpose of laying Tambaram, Irumbuliyur to Koyambedu Bypass. Thereafter, the petitioner's husband had approached the respondents to issue the award copy and the letter dated 16.12.2014 issued by the 6th respondent, which states that award has not been given to some of the land owners, however, the concerned persons can claim the compensation. After the demise of the petitioner's husband, several representations were made to the respondents, however, the same were not considered. Thereafter, the petitioner had made a representation dated 01.12.2021, before the 1st respondent for the payment of compensation. However, till date, the same has not been considered. Hence, the petitioner has come up with the present petition seeking the aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 1st respondent to consider the representation dated 01.12.2021 made by the petitioner to implement the order dated 16.12.2014 and dispose of the same, within a time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection to the said order being passed and he fairly conceded that the petitioner's representation dated 01.12.2021 will be considered and appropriate orders will be passed in accordance with law.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the representation dated 01.12.2021 made by the petitioner for payment of compensation in the light of the letter dated 16.12.2014 issued by the 6th respondent and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly this Writ Petition is disposed of with the aforesaid direction. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

nhs/jd
To

1. The Director,
National Highway Authority of India,
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3rd Floor, Guindy, Chennai.
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Alandur Chennai

+1 CC to Mr.G.Vasantha Kumar, Advocate sr 15439
+1 CC to The Government Pleader sr 11518.

W.P.No.3057 of 2022

AK(CO)
SP(31/03/2022)