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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.4158 OF 2022

Geethalakshmi

...Petitioner

Vs.

1. The Project Director,
National Highways Authority of India,
Regional Office, SRI Tower 3rd Floor,
DP.34(SP) Industrial Estate, Guindy,
Chennai 600 032.
2. The Regional Officer,
National Highways Authority of India,
Regional Office, SRI Tower 3rd Floor,
DP.34(SP) Industrial Estate, Guindy,
Chennai 600 032.
3. The District Collector,
Vellore District,
Vellore-9.
4. The Special District Revenue Officer,
National Highways (Land Acquisition),
Collector Office Building,
Vellore-9.
5. The Special Tahsildar,
National Highways (Land Acquisition),
Collector Office Building,
Vellore-9.
6. Sivakumar

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 25.09.2021 and consequently not to disburse the compensation



amount to the 6th respondent towards the acquisition of land in S.No.256/1B measuring 22 cents for widening of Chennai to Bangalore National Highway situated at Konavattam Village, Vellore Taluk and District.

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For Petitioner : Mr.T.Saravanan
For R1, 2, 4 and 5 : Mr.Su.Srinivasan
For R3 : Mrs.D.Tamilselvi
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 25.09.2021 and consequently not to disburse the compensation amount to the 6th respondent towards the acquisition of land in S.No.256/1B, measuring 22 cents for widening of Chennai to Bangalore National Highway situated at Konavattam Village, Vellore Taluk and District.

2. The case of the petitioner is that the property in S.No.256/1B measuring 22 cents situated at Konavattam Village, Vellore Taluk and District, is owned by the petitioner's grandfather, namely Durugan @ Duruvathan. After the demise of her grandfather, the aforesaid property came to petitioner's father, namely Marimuthu and he was in enjoyment and possession of the same till his lifetime. Thereafter, the petitioner inherited the property from his father and the said property belongs to the petitioner as well as the 6th respondent and four others, who are the legal heirs of the said Marimuthu. In the year 2017, the 4th respondent had acquired the aforesaid property for the purpose of widening Chennai to Bangalore National Highways. However, the 6th respondent is trying to receive the entire compensation from the National Highways Authority, for which the petitioner has made a representation dated 25.09.2021 before the 3rd, 4th and 5th respondents. However, till date, no order has been passed. Hence, the petitioner has filed the present Writ Petition.

3. Since no adverse orders is being passed against the 6th respondent, notice to the 6th respondent/private party is dispensed with.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice if this Court issues direction to the 4th respondent to consider the petitioner's representation dated 25.09.2021 and pass orders



on the same within a particular time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed.

6. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case directs the 4th respondent to consider the petitioner's representations dated 25.09.2021 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner and 6th respondent.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

jd/sk

To

1. The Project Director,
National Highways Authority of India,
Regional Office, SRI Tower 3rd Floor,
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Chennai 600 032.
2. The Regional Officer,
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3. The District Collector,
Vellore District,
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4. The Special District Revenue Officer,
National Highways (Land Acquisition),
Collector Office Building,
Vellore-9.



5. The Special Tahsildar,
National Highways (Land Acquisition),
Collector Office Building,
Vellore-9.

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+1cc to Mr.T.Saravanan, Advocate, S.R.No.13277
+1cc to Mr.V.T.Balaji, Central Government Senior Panel Counsel,
S.R.No.13283
+1cc to the Government Pleader, S.R.No.13774

W.P. No.4158 of 2022

JP-II (CO)
PM/17/03/2022