



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.7997 of 2022

R.Paneer Selvam

... Petitioner

Vs.

1. The District Collector and Land Acquisition Officer,
(Project of Formation of New Broad Gauge Railway Line
between Chinna Salem and kallakuriachi)
Office of District Collector,
Kallakurichi.

2. The Special Thasildar (Land Acquisition),
Southern Railways, Kallakurichi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to provide with access between the properties of the petitioner Comprised in S.F. No. 114 /1B 98 / 3B 98 / 3A 100 / 1A 1B 1C and 98/ 4 on the either side of the land which has been acquired by the respondents from the Petitioner by constructing an underground bridge in the proposed New Broad Gauge Railway line between Chinna Salem and kallakurichi by considering the representation of the petitioner herein dated 11.09.2020 and 02.01.2020.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.Sathish
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 2nd respondent to provide with access between the properties of the petitioner Comprised in S.F. No. 114 /1B 98 / 3B 98 / 3A 100 / 1A 1B 1C and 98/ 4 on the either side of the land which has been acquired by the respondents from the Petitioner by constructing an underground bridge in the proposed New Broad Gauge Railway line between Chinna Salem and kallakurichi by considering the representation of the petitioner herein dated 11.09.2020 and 02.01.2020.



2. The learned Additional Government Pleader takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the properties in S.F. No. 114 /1B 98 / 3B 98 / 3A 100 / 1A 1B 1C and 98/ 4, situated at Keelpoondi Village, Kallakurichi District. The petitioner's land was acquired under the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997, for formation of New Broad Gauge Railway Line between Chinna Salem and Kallakurichi. Thereby, the petitioner's land was divided into 2 parts. However, the petitioner is not able to access the land to the other part for which the petitioner made application on 02.01.2021, for providing access to other part of the land. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

4. The learned counsel for the petitioner submitted that it would suffice if this Court issue a direction to the 2nd respondent to consider the petitioner's representation, dated 02.01.2021, and pass orders within a reasonable time that may be fixed by this Court.

5. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 02.01.2021, will be considered by the respondents, within a reasonable time that may be fixed by this Court.

6. This Court, without going into the merits of the case, directed the 2nd respondent to consider the petitioner's representation, dated 02.01.2021, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner and to the aggrieved parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



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Kallakurichi.

2. The Special Thasildar (Land Acquisition),
Southern Railways, Kallakurichi.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.22546
+1cc to the Government Pleader, S.R.No.23241

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