



THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.Nos.10524, 10530 & 10541 of 2022
and

W.M.P.Nos.10212, 10220 & 10228 of 2022

1.P.Muniappan	...Petitioner in W.P.No.10524 of 2022
2.P.Rajendhiran	...Petitioner in W.P.No.10530 of 2022
3.D.Ellappan	...Petitioner in W.P.No.10541 of 2022

vs.

1. The Secretary to Government,
Ministry of Road Transport & Highways,
Government of India,
National Highways Authority of India,
G 5 & 6, Sector 10, Dwarka,
New Delhi - 110 075.
2. The District Collector,
Collectorate Office,
Krishnagiri District.
3. Competent Authority &
Special District Revenue Officer - Land Acquisition,
National Highways - 844,
(Hosur-Royakottai - Dharmapuri Section)
Krishnagiri.
- 4.The Project Director (NH 844),
National Highways Authority of India,
PIU - Krishnagiri,
259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri.
...Respondents in W.P.Nos.10524 & 10530 of 2022

1. The Secretary to Government,
Ministry of Road Transport & Highways,
Government of India,
National Highways Authority of India,
G 5 & 6, Sector 10, Dwarka,
New Delhi - 110 075.
2. The District Collector,
Collectorate Office,
Krishnagiri District.



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3. Competent Authority &
Special District Revenue Officer - Land Acquisition,
National Highways - 844,
(Hosur-Royakottai - Dharmapuri Section)
Krishnagiri.
4. The Special Tahsildar - Land Acquisition,
National Highways - 844,
(Hosur - Royakottai - Dharmapuri Section),
Krishnagiri.
5. The Project Director (NH 844),
National Highways Authority of India,
PIU - Krishnagiri,
259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri.

... Respondents in W.P.No.10541 of 2022

PRAYER in W.P.No.10524 of 2022:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the second respondent to pass appropriate orders on the reference/representation dated 18.02.2022 made by the petitioner under section 3G(5) of the National Highways Act 1956, by reconsidering the Awards dated 11.11.2021 passed in respect of his land and building comprised in S.No.23/B4, measuring 27.88 sq.mtrs, covered in Patta No.28, T.Kollahalli Village, Denkanikotta Taluk, Krishnagiri District by assessing the value of shops, buildings available in his lands and also consider the loss of rental income, by following the procedure contemplated under Section 29 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and re-fix the compensation as per the provision of Schedule I & II and Section 26(1) a & b of the Central Act 30 of 2013 within the time frame fixed by this Court.

PRAYER in W.P.No.10530 of 2022:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the second respondent to pass appropriate orders on the reference/representation dated 18.02.2022 made by the petitioner under section 3G(5) of the National Highways Act 1956, by reconsidering the Awards dated 03.09.2021 passed in respect of his land and building comprised in S.No.23/A4C, measuring 40.05 sq.mtrs, covered in Patta No.30, T.Kollahalli Village, Denkanikotta Taluk, Krishnagiri District by assessing the value of shops, buildings available in his lands and also consider the loss of rental income, by following the procedure



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contemplated under Section 29 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and re-fix the compensation as per the provision of Schedule I & II and Section 26(1) a & b of the Central Act 30 of 2013 within the time frame fixed by this Court.

PRAYER in W.P.No.10541 of 2022:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the second respondent to pass appropriate orders on the reference/representation dated 18.02.2022 made by the petitioner under section 3G(5) of the National Highways Act 1956, by reconsidering the proceedings dated 08.10.2021 passed by the Special Tahsildar Revenue Officer - Land Acquisition, National Highways - 844, (Hosur - Royakottai - Dharmapuri Section) in respect of residential building and petitioner's lands comprised in Survey Nos.6/113, measuring 297 sq mts covered in Patta No.83, Land comprised in Survey Nos.6/2A, Measuring 34 sq.mtrs covered in patta No.87, S.No.6/3A, measuring 114 sq.mtrs covered in Patta No.87, Lingampatti village kopakari post, Rayakotti Taluk, Krishnagiri District and also direct the authorities to assess the value of our residential building, land, structure, trees and standing crops etc. available in our lands and future income of my land and building and pay petitioner appropriate compensation by following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and re-fix the compensation as per the provision of Schedule I & II and Section 26(1) a & b of the Central Act 30 of 2013 within the time frame fixed by this Court.

For Petitioners : Mr.R.Ramesh Raja
(in all W.Ps)

For Respondents : Mr.R.Rajesh Vivekanathan, (for R.1)
(in all W.Ps) Mr.Su.Srinivasan (for NHA)
Mr.P.Sathish
Additional Government Pleader

COMMON ORDER

Since the relief sought for in these writ petitions are one and the same, they are heard together and disposed of by way of a common order.

2. The case of the petitioners is that, the National Highways Authority issued a notification under Section 3A-(1) under the National Highways Act 1956, for the purpose of laying



National Highways. Compensation award was passed in favour of the petitioners. However, the petitioners are aggrieved by the compensation awarded. Hence, petitioners made a representation dated 18.02.2022 to the second respondent to re-determine the compensation awarded. However, till date no action has been taken by the 2nd respondent on the representation made by the petitioners. Hence the present Writ Petitions have been filed by the petitioners with the above relief.

3. Though very many grounds have been raised, learned counsel for the petitioners submits that it would suffice if this Court directs the second respondent to pass appropriate orders on the representation made by the petitioners to re-determine the compensation amount in respect of the respective petitioners' lands by following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013 and re-fix the compensation as per the provision of Schedule I & II and Section 26(1) a & b of the Central Act 30 of 2013 within the time frame fixed by this Court.

4. The learned Additional Government Pleader appearing for the second respondent submits that the petitioner's representation will be considered by the respondent within the time frame fixed by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs second respondent/District Collector to consider the representation dated 18.02.2022 made by the petitioners and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, these writ petitions are disposed of with the aforesaid direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS V)

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Sub Assistant Registrar

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To

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Ministry of Road Transport & Highways,
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National Highways Authority of India,
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+1 cc to Mr.R.Rajesh Vivekananthan, Advocate Sr.NO. 30240

+1 cc to Government Pleader Sr.NO. 30914

W.P.Nos.10524, 10530 & 10541 of 2022
and

W.M.P.Nos.10212, 10220 & 10228 of 2022

skm(CO)

A.SK(23/05/2022)