

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12829 of 2022

R.Sangeetha

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 4.

2. The District Collector,
Office of the Collectorate,
Krishnagiri - 635 115.

3. The Thasildar,
Taluk Office,
Hosur,
Krishnagiri District - 635 001.

4. The Sub Registrar - Registration Dept.,
Hosur,
Krishnagiri District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to fix guideline value of the property in survey Number 132/1, 132/3 in Alasapalli Village (Patta No.229) based on the No objection certificate issued by Taluk Thasildar, Houser, Krishnagiri District.

For Petitioner : Mr.G.Babau

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to fix guideline value of the property in survey Number 132/1, 132/3 in Alasapalli Village (Patta No.229) based on the No objection certificate issued by Taluk Thasildar, Hosur, Krishnagiri District.

2.The case of the petitioner is that the petitioner is the owner of the subject property. On receiving letter of demand from the Special Tahsildar, Land Acquisition - National High Way No.948A, STRR Scheme II, Hosur, calling the petitioner to appear and produce the documents pertaining to ownership, title and possession of the subject property, for fixing compensation for the private land that is to be utilized for public purpose, the petitioner approached the respondents to fix the guideline value of the property and since her request has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner's land was acquired under the National Highways Act, 1956 and summon was issued for determining compensation under Section 3G of the National Highways Act, however, till date compensation amount was not fixed for non-availability of the guideline value of the petitioner's property. Hence, this Court without going into the merits of the case, may issue direction to the Special Tahsildar, Land Acquisition - National High Way No.948A, STRR Scheme II, Hosur, to fix fair compensation to the petitioner, within a reasonable time frame.

4.Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, is inclined to issue direction to the Special Tahsildar, Land Acquisition - National High Way No.948A, STRR Scheme II, Hosur, though the Special Tahsildar is not arrayed as a party in this writ petition. Accordingly, this Court directs the Special Tahsildar, Land Acquisition - National High Way No.948A, STRR Scheme II, Hosur, to pass award in terms of the National Highways Act, for the land acquired from the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector General of Registration,
Santhome, Mylapore,
Chennai - 4.
2. The District Collector,
Office of the Collectorate,
Krishnagiri - 635 115.
3. The Thasildar,
Taluk Office,
Hosur,
Krishnagiri District - 635 001.
4. The Sub Registrar - Registration Dept.,
Hosur,
Krishnagiri District.

Copy to:

The Special Tahsildar,
Land Acquisition - National High Way No.948A,
STRR Scheme II, Hosur

+1cc to Government Pleader SR. No. 33016
+1cc to Dr.G.Babu, Advocate SR. No. 32181

W.P.No.12829 of 2022

PMK (CO)
PR (17/06/2022)