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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15718 of 2022

and

W.M.P.No.14971 of 2022

E.Srinivasan

... Petitioner

Vs.

1. The District Collector,
Chengalpet District Collectorate Campus,
Chengalpet.
2. The Special Tahsildar (Land Acquisition),
Mamallapuram-Puducherry National Highway Scheme Unit -2,
No.6, Varatharajansreet, Vedhachalam Nagar,
Chathirampettai Village,
Cheyyur Taluk,
Chengalpet District-603 305.
3. The Special District Revenue Officer (Land Acquisition),
Mamallapuram-Puducherry National Highway Scheme Unit -2,
No.6, Varatharajansreet, Vedhachalam Nagar,
Chathirampettai Village,
Cheyyur Taluk,
Chengalpet District-603 305.

4. Mrs.L.Selvi

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent namely the Special District Revenue Officer (Land Acquisition), Mamallapuram-Puducherry National Highway Scheme Unit -2, No.6, Varatharajansreet, Vedhachalam Nagar, Chathirampettai Village, Cheyyur Taluk, Chengalpet District-603 305 in his letter, dated 27.12.2021, to disburse the compensation fixed for the house property constructed by the petitioner herein in the respective land bearing S.No.32/3c to an extent of 0.04 cents out of total extent of 525 sq.mtrs, which is also about to acquire for widening the road, due to him within a stipulated time.



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For Petitioner : Mr.T.Nithya
For R1 to R3 : Mr.G.Krishna Raja,
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 third respondent to disburse the compensation fixed for the house property constructed by the petitioner herein in the respective land bearing S.No.32/3c to an extent of 0.04 cents out of total extent of 525 sq.mtrs.

2. Since no adverse orders have been passed as against the fourth respondent, notice to the fourth respondent is dispensed with.

3. The grievance of the petitioner is that his aforesaid property was acquired by the National Highways Authority for the purpose of widening of National Highways Road, for which a notice, dated 27.12.2021 was issued under Section 3E(2) by the third respondent, however, the second respondent by letter dated 15.02.2022 fixed a quantum amount of compensation for the house property of the petitioner. Hence, the petitioner made a representation dated 03.06.2022 before the second and third respondents, seeking to pass the award and pay fair compensation for the acquired property. However, till date, no orders have been passed on the representation made by the petitioner. Hence, the petitioner has filed this Writ Petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the second and third respondents to consider the petitioner's representation dated 03.06.2022 and disburse the compensation fixed for the house property 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 1 to 3 have no objection in the said order being passed.

6. In view of the above, this Court directs the second and third respondent to consider the petitioner's representation dated 03.06.2022 in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and the private respondent.



7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Anu/Sp

To

1. The District Collector,
Chengalpet District Collectorate Campus,
Chengalpet.
2. The Special Tahsildar (Land Acquisition),
Mamallapuram-Puducherry National Highway Scheme Unit -2,
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Chathirampettai Village,
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Chengalpet District-603 305.
3. The Special District Revenue Officer (Land Acquisition),
Mamallapuram-Puducherry National Highway Scheme Unit -2,
No.6, Varatharajansreet, Vedhachalam Nagar,
Chathirampettai Village,
Cheyyur Taluk,
Chengalpet District-603 305.

+1cc to Mr.T.Nithya, Advocate, S.R.No.38478
+1cc to the Government Pleader, S.R.No.39830

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AD(CO)
CT/27/06/2022