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W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

- | | |
|---------------|--|
| 1.Ramakkal | ... Petitioner in W.P.No.26185 of 2022 |
| 2.Kannappan | ... Petitioner in W.P.No.26191 of 2022 |
| 3.C.Subramani | ... Petitioner in W.P.No.26194 of 2022 |
| 4.Kannammal | ... Petitioner in W.P.No.26195 of 2022 |
| 5.Chinnakannu | ... Petitioner in W.P.No.26197 of 2022 |

Vs.

- | | |
|--|-----------------------------|
| 1.The District Collector and Arbitrator,
Dharmapuri District,
Dharmapuri. | |
| 2.The Special District Revenue Officer (LA),
National Highways No.844,
Dharmapuri. | ... Respondents in all W.Ps |

COMMON PRAYER: Writ Petitions filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose of the individual appeal/representation dated 27.06.2022 filed by the petitioners under section 3G(5) of the National Highways Act – 1956 within a



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stipulated time to be fixed by this Court.

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For Petitioners : Mr.N.Ponraj
in all W.Ps

For Respondents : R.Anitha,
in all W.Ps Special Government Pleader

COMMON ORDER

By consent of both the parties, these writ petitions are taken up for final disposal at the time of admission stage itself.

2. These Writ Petitions have been filed seeking for issuance of Writ of Mandamus, directing the first respondent to dispose of the individual appeal/representation dated 27.06.2022 filed by the petitioners under section 3G(5) of the National Highways Act – 1956 within a stipulated time to be fixed by this Court.

3. The case of the petitioners is that the petitioners was allotted land under Natham House site Patta in Karagathahalli Village, Palcode Taluk, Dharmapuri District and the lands are comprised in New S.F.Nos.533/ 1D,



533/1D 2, 533/1D 14, 533/1D 9, 533/1D 3 respectively. However, the said lands was acquired under National High Ways Act, 1956 for public purpose and notification under 3A (1) and 3D (1) was also issued to that effect. Subsequently, the second respondent passed an award in Roc.19/2018/LA dated 28.03.2022 and fixed a meagre sum as compensation to the petitioners' property. Aggrieved over the said award, the petitioners' preferred an individual appeal dated 27.06.2022 before the first respondent seeking enhancement of compensation under section 3G (5) of the National High Ways Act, 1956, till date, the said appeal was not considered by the first respondent. Hence, these writ petitions.

4. The learned counsel for the petitioners submits that it would suffice if this Court issues a direction to the first respondent to consider and dispose of the the petitioners' individual appeal/representation dated 27.06.2022 under Section 3G (5) of the National High Ways Act, 1956 and pass appropriate orders on merits within a time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the



W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

respondents would submit that she has no objection for the said order being passed.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioners, this Court without going into the merits of the case, directs the first respondent to consider and dispose of the petitioners' individual appeal/representation dated 27.06.2022 under section 3G (5) of the National High Ways Act, 1956 on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioners as well as the aggrieved persons if any, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, these Writ Petitions are disposed of.

No costs.

28.09.2022

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Index : Yes/No

Speaking Order : Yes/No

Page No.4 of 7



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W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

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W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

M.DHANDAPANI,J.

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W.P.Nos.26185,26191,26194,26195 & 26197 of 2022

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