



W.P.No.6290 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.12.2023

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.6290 of 2011

Ondipudur Trichy Road North Side,
Building Owners and Tenants Welfare
Sangham, Reg.No.38/2010
Rep. by its Secretary Mr.R.Mohan,
No.2071, Trichy Road,
Ondipudur, Coimbatore 641 016.

... Petitioner

Versus

1. The District Collector,
Collectorate Office,
Coimbatore.
2. The Divisional Engineer
National Highways Authority of India,
Coimbatore.
3. The Revenue Divisional Officer,
RDO Office, Coimbatore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Declaration, declaring that the petitioners who are occupants of the Natham lands lying in north of NH-67 on the stretch from Ondipudur Railway Overbridge to Ondipudur Old Post Office comprised in Survey Nos.138/2B2, 138/3B2, 138/4P, 233/5AP, 138/5A1P, 138/5A2P,



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138/5BP, 138/8, 233/5A1P and 782 in Singnallur Village, Ondipudur, Coimbatore are entitled to compensation in respect of the said lands acquired under the provisions of the National Highways Act, and for consequential direction to the first respondent to pass orders on the petitioner's representation dated 06.09.2010.

For Petitioner : Mr.Bhagavath Krishnan

For Respondents : Mr.V.Veluchamy
Addl. Government Pleader for R1 & R3

Mr.Su.Srinivasan for R2

ORDER

This writ petition has been filed by the Ondipudur Trichy Road North Side Building Owners and Tenants Welfare Sangham seeking to declare them as occupants of the Natham land and direction to the respondent to give compensation for the acquired lands.

2 The lands were acquired under the provisions of the National Highways Act. Therefore the writ petition filed by the Sangam, seeking declaration that they are the occupants of the acquired lands and for compensation, is not maintainable.

3 However, the claimants are directed to file claim petition before the



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respondents and produce necessary documents to prove their claim. On such applications, the respondent concerned is directed to consider the same and after issuing notice and enquiry, based on the documents filed, pass orders on merits in accordance with laws. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order. It is made clear that the petitioner as Sangham is not entitled to get any relief sought for in this writ petition.

4 With the above directions, the writ petition stands disposed of. No costs.

20.12.2023

Index: Yes/No
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To

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Collectorate Office, Coimbatore.
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P.VELMURUGAN, J.,

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