



WA No.730 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.730 of 2023
and C.M.P.No.7005 of 2023

1. Sitaraman Ravi
2. R.Rajeswari ... Appellants

Vs

1. The Arbitrator & District Collector,
Thiruvallur District.

2. The Competent Authority and
Special District Revenue Officer (LA),
NH 205, No.3 & 4, LalBhadhur Sasthri Street,
Periyakuppam Railway Street, Near
Thulasi Theatre, Thiruvallur-602 001.

3. The Project Director,
National Highways Authority of India,
Project Implementation Unit-Chennai,
"SRI Tower", 3rd Floor, DP-34 (SP),
Industrial Estate, Guindy, Chennai-32. ... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent to set aside the order dated 28.11.2022 passed in W.P.No.31620 of 2022 on the file of this Court.

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For the Appellants :: Mr.P.B.Sampath Kumar

For the Respondents :: Mr.P.Muthukumar
State Govt. Pleader

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JUDGMENT

(Delivered by the Hon'ble Acting Chief Justice)

This writ appeal has been directed against the order dated 28.11.2022 passed in W.P.No.31620 of 2022 filed by the appellants/petitioners seeking issuance of writ of mandamus to direct the respondents to award a compensation at Rs.800/- per sq.ft., i.e., Rs.8608/- per sq.mtr as also additional compensation u/s 3(G)(2) of National Highways Act, Solatium and interest u/s.23(1A) & (2) and 28 of the Land Acquisition Act, 1894 for the acquisition of their land comprised in New S.No.266/1C & 266/2C, Ayathur Village, Thiruvallur Taluk and District, measuring an extent of 270 sq. mtrs.

2. The learned Single Judge, while appreciating the grievance of the appellants/petitioners, has held that the land of the appellants was



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acquired and award was also passed granting compensation on 22.08.2011 and thereafter, the appellants/petitioners made a representation on 27.12.2021, namely, after ten long years, before the first respondent for enhancement of compensation. As it is beyond the period of limitation of three years from the date of the award, the learned Single Judge did not entertain the writ petition.

3. We also find no merits or justification in the writ petition, in view of the huge passage of time of ten long years in making representation for higher compensation. Therefore, we are unable to find any error in the impugned order.

The writ appeal, therefore, fails and the same is dismissed. There will be no order as to costs. Consequently, C.M.P.No.7005 of 2023 is also dismissed.

(T.R., ACJ.) (D.B.C., J.)
30.03.2023

Index : Yes/No
Neutral Citation : Yes/No

sra

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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

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Thiruvallur District.
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