



WEB COPY



W.P.No.6775 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6775 of 2023

G.Moorthy

...Petitioner

Vs

1. The District Collector,
Chengalpattu,
Chengalpattu District.

2. The Competent Authority
/Special District Revenue Officer (L/A),
National Highways,
Kanchipuram & Thiruvallur Districts,
at Kancheepuram.

3. The Project Manager,
National Highway Counsel,
No.7/16, Govindarajan Street,
West Tambaram,
Chennai.

4. The Revenue District Officer,
Maduranthakam,
Chengalpattu District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 11.10.2021 for the enhancement of the compensation for acquiring petitioner's land situated in Survey No.198(New Survey No.198/1B2A2 at Odiathur Village, within the jurisdiction of Cheyyur



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Sub-Registration Office for Mamallapuram to Puducherry Corridor Project within a stipulated period by affording personal opportunity of hearing.

For Petitioner : Mr.M.Sathishkumar
For Respondents : Mr.P.Sathish
AGP
for R.1, R.2 and R.4

ORDER

The petitioner herein had given a representation to the respondents on 11.10.2021 seeking for enhancement of the compensation for acquiring petitioner's land situated in Survey No.198(New Survey No.198/1B2A2 at Odiathur Village, within the jurisdiction of Cheyyur Sub-Registration Office for Mamallapuram to Puducherry Corridor Project . Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.



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3. In the light of the above observations, there shall be a direction to the respondents 1,2 and 4 herein to consider the petitioner's representation dated 11.10.2021 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents 1,2 and 4 to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs.

14.03.2023

Index: Yes/No

Speaking order/Non-speaking order

sr

To

1. The District Collector,
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Chengalpattu District.

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/Special District Revenue Officer (L/A),
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M.S.RAMESH,J.

SR

3. The Project Manager,
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