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W.P.No.7131 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7131 of 2019

R.Babulal

...Petitioner

Vs.

1.The Competent Authority,
Special District Revenue Officer,
Land Acquisition,
Thiruvallur District.

2.The Special Tahsildar (National Highways),
Poonamallee, Thiruvallur District.

3.The Project Director,
PIU, Chennai,
National Highways Authority of India,
Guindy, Chennai.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 02.03.2017 and further direct the 1st respondent to disburse due and fair compensation to the petitioner in accordance with the RFCTALRR Act as given to other persons in Survey No.111/ 8 situate at Jaganathapuram, Athipedu Village, Ponneri Taluk.



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For Petitioner : Mr.C.Kulanthaivel
For Respondents 1 & 2 : Mr.P.Kumaresan,
Additional Advocate General,
for Mr.T.Venkatesh Kumar,
Special Government Pleader
For Respondent 3 : Mr.Su.Srinivasan

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to consider the petitioner's representation dated 02.03.2017 and further direct the 1st respondent to disburse due and fair compensation to the petitioner in accordance with the RFCTALRR Act as given to other persons in Survey No.111/ 8 situate at Jaganathapuram, Athipedu Village, Ponneri Taluk.

2. The learned counsel for the petitioner states that the land belonged to the petitioner was acquired for the National Highways Projects. However, the compensation due to him is yet to be settled. The petitioner sent a representation on 02.03.2017 which was not considered and therefore, the petitioner is constrained to move the present writ petition.

3. Learned Additional Advocate General appearing on behalf of the first respondent made a submission that the petitioner has failed to produce



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the title documents to establish his entitlement and therefore, the authorities are not in a position to settle the compensation.

4. Learned counsel for the petitioner states that subsequently, he has produced all relevant documents including patta, title document etc.,

5. This being the factum, the petitioner is at liberty to re-submit all the documents once again before the first respondent within a period of two weeks from the date of receipt of a copy of this order. The first respondent is directed to receive the documents, if any produced by the petitioner and accordingly, take a decision and pass orders on merits and in accordance with law within a period of eight weeks thereafter.

6. With these directions, the writ petition stands disposed of. No costs.

01.08.2023

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Index : Yes
Speaking Order



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To

- 1.The Competent Authority,
Special District Revenue Officer,
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Thiruvallur District.
- 2.The Special Tahsildar (National Highways),
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Thiruvallur District.
- 3.The Project Director,
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S.M.SUBRAMANIAM, J.

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