



W.P.No.9400 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9400 of 2023

Pushpa Raju

...Petitioner

Vs

- 1.The Union of India,
rep. by the Secretary,
Ministry of Road Transport &
National Highways,
Central Secretariat,
No.234, South Block,
Delhi.
- 2.The State of Tamil Nadu,
rep. by the Secretary to the Government,
Revenue Department,
Secretariat,
Fort St. George,
Chennai – 600 009.
- 3.The National Highways Authority of India,
rep. by its Chairman,
G5 & 6, Sector – 10,
Dwarka,
New Delhi – 110 075.



W.P.No.9400 of 2023

4.The District Collector,
Collectorate Complex,
G.S.T.Road,
Chengalpattu – 603 001.

5.The Special District Revenue Officer (L.A.),
National Highways,
Kancheepuram & Tiruvallur Districts,
Kancheepuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the fourth respondent to consider the Appeal dated 12.01.2022 filed by the writ petitioner against the Award dated 30.10.2021 in RC 430/2021/CALA/Unit-1 passed by the 5th respondent relating to the property at Survey No.123/7A2B1A of Mamallapuram Village in a manner known to law.

For Petitioner : Mr.Anish Gopi

For Respondents : No appearance for R1 and 3

Mr.P.Sathish,
Additional Government Pleader
for R2, 4 & 5

ORDER

Heard Mr.Anish Gopi, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents 2 4 and 5.



W.P.No.9400 of 2023

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2.The limited prayer sought for in this Writ Petition is for a direction to the fourth respondent herein to dispose of the appeal preferred by the petitioner dated 12.01.2022 within a stipulated time.

3.It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast on the respondent concerned to dispose of the appeal expeditiously. Non-compliance of such a responsibility would amount to dereliction of duties and this Court would be justified in directing the authority to dispose of the appeal within a stipulated time, in exercise of its powers under Article 226 of Constitution of India.

4. In the light of the above observations, there shall be a direction to the fourth respondent herein to dispose of the petitioner's appeal petition dated 12.01.2022, if not already disposed of, after giving due opportunity to the petitioner, as well as all the other persons who may be interested in the subject property, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.



W.P.No.9400 of 2023

WEB COPY

5. With the above direction, the Writ Petition stands disposed of.

No costs.

05.04.2023

Index: Yes/No

Speaking order/Non-speaking order

vga



W.P.No.9400 of 2023

WEB COPY To

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W.P.No.9400 of 2023

M.S.RAMESH,J.

vga

W.P.No.9400 of 2023

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