



WEB COPY



W.P.No.8287 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8287 of 2023

T.Anandan

...Petitioner

Vs

1.The Special Deputy Collector
(Land Acquisition), Tamil Nadu
Urban Development Project,
Poonamallee, Chennai-56.

2.The Special District Revenue Officer
(Land Acquisition), Tamil Nadu
Highways Department, Alandur,
Chennai-16.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to forthwith refer the matter for enhancement of compensation under Section 20 (1) of the Tamil Nadu Highway Act, 2001 in respect of Award No.5/2020 dated 31.12.2020 (Na.Ka.No.1704/2010/Aa1 dated 31.12.2020) passed by the 2nd respondent for the petitioner's land of extent 222 square meters comprised in old survey No.115/19, new survey No.1357/3, patta No.1702, Poonamallee Village, Poonamallee Taluk, Thiruvallur District.



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For Petitioner : Mr.P.Rajendran

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this Writ Petition is for a direction to the respondents to refer the matter for enhancement of compensation under Section 20(1) of the Tamil Nadu Highways Act, 2001. It is seen from the typed set of papers that an appeal dated 05.10.2021 has been preferred by the petitioner before the first respondent.

3. It is needless to point out that whenever a statutory appeal is preferred before the Appellate Authority, there is a duty cast on him to dispose of the same 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



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stipulated time, in exercise of its powers under Article 226 of the Constitution of India.

4. In the light of the above observations, there shall be a direction to the first respondent herein to dispose of the petitioner's appeal dated 05.10.2021, 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.

5. With the above direction, the Writ Petition stands ordered. No costs.

17.03.2023

Index: Yes/No

Speaking order/Non-speaking order

To

1. The Special Deputy Collector (Land Acquisition), Tamil Nadu
Urban Development Project, Poonamallee, Chennai-56.

2. The Special District Revenue Officer (Land Acquisition), Tamil Nadu
Highways Department, Alandur, Chennai-16.

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M.S.RAMESH,J.

RS/SNI

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