



WEB COPY



W.P.No.12962 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.12962 of 2023 and
W.M.P.No.12740 of 2023

Chinnasamy

..

Petitioner

vs

1. The District Collector
Office of the District Collectorate
Dharmapuri District.
2. The Competent Authority cum DRO
National Highway No.844
Dharmapuri.
3. The Special Tahsildar
National Highway No.844
Dharmapuri.
4. The National Highways Authority of India
Represented by its Project Director (NH 844)
PIU – Krishnagiri
259/1, Salem Main Road
Near KAKC Petrol Bunk
Krishnagiri.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to revisit and revalue and fix the correct value for structures, trees and lands admeasuring 208 Sq.Mtrs in S.No.188/1B, 199Sq.Mtrs. In S.No.188/1E and 10 Sq.Mtrs in S.No.188/2A at Jittandahalli Village, Palacode Taluk, Dharmapuri District on the basis of the representation dated 20.03.2023 within a stipulated period of time.



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W.P.No.12962 of 2023

For Petitioner : Mr.S.Yudhish Padman
For Respondents : Mr.Abhishek Murthy
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the second respondent to revisit and revalue and fix the correct value for structures, trees and lands admeasuring 208 Sq.Mtrs in S.No.188/1B, 199 Sq.Mtrs in S.No.188/1E and 10 Sq.Mtrs in S.No.188/2A at Jittandahalli Village, Palacode Taluk, Dharmapuri District on the basis of the representation dated 20.03.2023.

2. The very relief sought for in the present writ petition is misconceived. No such direction can be issued to the second respondent to revisit or revalue. If at all the authority has committed any mistake, error or irregularity, then the petitioner has to approach the competent appellate authority or forum concerned for the purpose of redressal of his grievances.

3. The High Court cannot direct the authority to revisit his own decision merely based on a representation. Such a direction, if issued,



W.P.No.12962 of 2023

would do no service to the cause of justice. Contrarily, the litigants will be back again to the High Court by filing another writ petition for adjudication. Therefore, this Court is of the considered opinion that the authorities, once decided the issues on merits and passed order, then, the aggrieved person has to prefer an appeal before the appellate authority.

4. This being the principles to be followed, the relief as such sought for in the present writ petition cannot be granted and the writ petitioner is at liberty to approach the competent forum for the purpose of redressing his grievances.

5. Accordingly, the writ petition stands disposed of. There will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
Neutral Citation : Yes/No

27.04.2023

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S.M. SUBRAMANIAM, J.

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