



WEB COPY



W.P.No.17237 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.17237 of 2023
and
W.M.P.No.16402 of 2023

M.Kumari

... Petitioner

Vs.

1. The Competent Authority cum
Special District Revenue Officer (Land Acquisition),
National Highways,
Kancheepuram District,
Kancheepuram.
2. The National Highways Authority of India,
Rep. by its Project Director,
Bangalore Chennai Expressway, Unit-3,
Kancheepuram
3. The Special Tahsildar (L.A.C),
Bangalore-Chennai Expressway, Unit-3,
No.15, Vishalakshmi Nagar,
Chevitimedu, Kancheepuram,

...Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorarified Mandamus, calling for the



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records relating to the 1st respondent proceeding in Na.Ka. 06/ 2015/ B.C.Ex. dated 30.01.2023 and quash the same and direct the respondent to pay the compensation to the petitioner for the land acquired for the National Highway in S.No. 42/2B2 over an extent of 1677 sq.mt in No.116, Thirumangalam Village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.M.Muthappan

For Respondents :
(for R1 & R3) : Mr.T.Arun Kumar, A.G.P.
(for R2) : Mr.S.U.Srinivasan

ORDER

The land belonging to the petitioner had already been acquired under the National Highways Act for expansion of road project. The grievances of the writ petitioner is that the compensation determined is yet to be settled in her favour.

2.The representation submitted by the writ petitioner in this regard was responded by stating that a civil suit in O.S.No.48 of 2017 is pending on the file of the District Munsif Court at Kancheepuram District. During the pendency of the suit, the authorities may not be in a position to settle the compensation in favour of the petitioner, since there is a rival claimant.



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The issues in this regard are to be resolved between the parties for settlement of compensation awarded under the land acquisition proceedings. However, there is no impediment for the respondents to deposit the compensation in the Court more specifically in the pending suit in OS.No.48 of 2017.

3.That being the factum, the respondents are directed to deposit the compensation in the Court accounts, enabling the parties to withdraw the same after resolving the issues by following the procedures as contemplated.

4.With these directions, the writ petition stands **disposed of**. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

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S.M.SUBRAMANIAM. J.,

(sha)

To

1. The Competent Authority cum
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Kancheepuram District,
Kancheepuram.
2. The National Highways Authority of India,
Rep. by its Project Director,
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