



WEB COPY



W.P. No.16301 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2023

CORAM:

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P. No.16301 of 2023

Loganayagi

Petitioner

v

1 The District Collector
Chengalpattu District

2 The Special District Revenue Officer
Mamallapuram-Puducherry Express Road Project-III
Chengalpattu Unit
Chengalpattu District

3 The Special Tahsildar
Mamallapuram-Puducherry Express Road Project
Chengalpattu Unit-3
Chengalpattu District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents, particularly, the respondents 2 and 3, to forthwith pass an order under the provisions of the National Highways Act for having acquired the land comprised in Old Survey No.242/1A, New Survey No.242/1A2, measuring an extent of 21 cents in Mugaiyur Village, Cheyyur Taluk, Chengalpattu District and to disburse the compensation amount thereof to the petitioner within a time limit.

For petitioner

Mr. M. Elumalai



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For respondents Mr. S. Prabhakaran
Government Advocate

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents 2 and 3, to forthwith pass an order under the provisions of the National Highways Act, 1956, for having acquired the petitioner's land comprised in Old Survey No.242/1A, New Survey No.242/1A2, measuring an extent of 21 cents in Mugaiyur Village, Cheyyur Taluk, Chengalpattu District and to disburse the compensation amount thereof to the petitioner, within a time limit.

2 The petitioner states that she is the owner of the property in New Survey No.242/1A2, measuring about 21 cents of Mugaiyur Village, Cheyyur Taluk, Chengalpattu District. She had purchased the said land by way of a registered sale deed dated 29.10.1998. The Special District Revenue Officer, Mamallapuram-Puducherry Express Road Project, the second respondent herein, had acquired the said land in exercise of powers conferred on him under Section 3G (3 & 4) of the National Highways Act, 1956. By an award dated 18.11.2022, the second respondent has fixed the compensation under Section 3-E(1), *ibid*.

3 It is the case of the petitioner that despite the fact that compensation



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has been fixed, till date, payment has not been made to her, despite her several visits to the office of the second respondent.

4 It is clear from the records that the Government has fixed the compensation and has identified the petitioner as the owner of the acquired property. When such being the case, it is beyond the ken of this Court as to why compensation has not been paid to the petitioner.

5 In such perspective of the matter, the petitioner is directed to address a representation to the second respondent within a period of one week from today and the second respondent shall take a call and pass a speaking order within a period of four weeks from the date of receipt of the petitioner's representation.

With the above observation, this writ petition stands disposed of. Costs made easy.

26.05.2023

Neutral Citation : Yes/No
cad/gya

Note to Office: Issue order copy by 29.05.2023



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V. LAKSHMINARAYANAN, J.

cad/gya

To

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Chengalpattu District
- 2 The Special District Revenue Officer
Mamallapuram-Puducherry Express Road Project-III
Chengalpattu Unit
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