



WEB COPY

WP No.24225 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21-09-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.24225 of 2023

And

WMP No.23686 of 2023

Mrs.Petchi Arasan @ Petchi Ammal Arasan

... Petitioner

Vs.

- 1.The Competent Authority/The Special
District Revenue Officer,
National Highways Projects,
National Highways-332A,
Mamallapuram-Pondychery Via,
No.16, Varadharajan Street,
Vedachalam Nagar,
Chengalpet – 603 001.
- 2.The Divisional Engineer (Highways),
National Highway Department,
No.206, Jawaharlal Nehru Road,
Arumbakkam,
Chennai-600 106.



3. The Project Director,
PIU, Kancheepuram,
National Highways Authority of India,
1/16, Govindarajan Street,
West Tambaram,
Chennai-600 045.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents not to commence the demolition proceedings of house building situated at S.No.119/1B, Mamallapuram Village, Thirukazhukundram Taluk, Chengalpattu District admeasuring 13 Sq.Meter (139 Sq.Feet) till the compensation for housing building is paid as per the valuation report based on the petitioner representation dated 02.02.2023.

For Petitioner : Ms.G.Kiruthika

For Respondents-1 and 2 : Mr.P.Kumaresan,
Additional Advocate General
Assisted by Mr.C.Jayaprakash,
Government Advocate.

For Respondent-3 : Ms.S.R.Sumathy



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ORDER

The relief sought for in the present writ petition is to direct the respondents not to commence the demolition proceedings of house building situated at S.No.119/1B, Mamallapuram Village, Thirukazhukundram Taluk, Chengalpattu District admeasuring 13 Sq.Meter (139 Sq.Feet) till the compensation for housing building is paid as per the valuation report based on the petitioner representation dated 02.02.2023.

2. The issues raised in the present writ petition are adjudicated by way of an interim order. This Court directed the Authorities to settle the compensation, since the property right of the petitioner is taken away by the Authority of Law through acquisition proceedings.

3. The learned Additional Advocate General, appearing on behalf of the respondents 1 and 2, submitted the Compliance Report stating that the compensation due to the writ petitioner has already been settled.



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The relevant portion of the Report reads as under:-

“9. It is submitted that as per the order of the Hon'ble High Court, Chennai in order dated 07.09.2023 in WP No.24225 of 2023 compensation for missing structure in S.No.119/1A and 119/1B to an amount of Rs.6,65,910/- has been released vide proceedings of the Competent Authority and Special District Revenue Officer (LA)(FAC) National Highways 332A Chengalpattu District in R.C.No.578/2022/CALA/Unit-1 dated 15.09.2023 and disbursed to the petitioner on 16.09.2023 through RTGS in Cheque No.001546 dated 15.09.2023 as per the provisions of the Act.”

4. The learned Additional Advocate General, appearing on behalf of the respondents 1 and 2, further made a submission that the amount paid by way of cheque has already been credited in the Accounts of the petitioner. Thus, there is no further adjudication is required and the land has already been acquired and vested with the Government and the Authorities are at liberty to proceed with the project without causing any undue delay.



5. With the above observations, the present writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

21-09-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

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S.M.SUBRAMANIAM, J.

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