



WEB COPY

W.P.No.24423 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24423 of 2023

1.Mani

2.P.Sasikumar

3.Rajendran

4.Karuppannan

5.Nagappan

6.Panjalai

7.Sivakumar

8.Narayanan

9.Sadayammal

10.Sellappan

11.Palaniappan

12.Prema

... Petitioners

Vs.

1.The District Collector,
Fort Main Road, Salem District,
Tamil Nadu – 636 001.



2.The Tahsildar,
P2RR+2VQ, Kamaraj Nagar,
Omalur Taluk, Salem District,
Tamil Nadu 636 455.

3.Divisional Engineer (National Highways),
National Highway Department, Planning,
No.6, Palaniappa Nagar, Thiruvakavundanur,
Salem, Tamil Nadu – 636 005.

4.Sub-Collector,
QRV3+Q7X, Mettur,
Salem District,
Tamil Nadu – 636 401.

Respondents

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the authorities to consider petitioner's objections dated 24.03.2023 and 15.05.2023 and drop the acquisition proceedings in respect of lands in S.No.30/7B, 28/21, 10/9E, 28/1T1, 28/1E1, 28/1V1, 28/1U, 10/9F1B in Tholasampatty, T. Maramangalam Village, Omalur Taluk, Salem District.

For Petitioners : Mr.G.Suryanarayanan

For R1 to R4 : Mr.T.Venkateshmumar,
Special Government Pleader.



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ORDER

The relief sought for in the present writ petition is to direct the authorities to consider the objections submitted by the writ petitioners on 24.03.2023 and 15.05.2023 and drop the acquisition proceedings in respect of lands in S.No.30/7B, 28/21, 10/9E, 28/1T1, 28/1E1, 28/1V1, 28/1U, 10/9F1B in Tholasampatty, T. Maramangalam Village, Omalur Taluk, Salem District.

2. It is not in dispute that the lands belonging to the petitioners are sought to be acquired for National Highways projects. Notification was issued and the acquisition proceedings are in progress.

3. The grievances of the writ petitioners are that the objections submitted by them are not considered and thus, the petitioners are constrained to move the present writ petition.

4. The learned counsel for the petitioners mainly contended that under Section 3C of the National Highways Act, 1956, the objections submitted by the land owners are to be considered before passing final award. The



petitioners have already submitted their objections within the time limit contemplated under Section 3C of the National Highways Act. Therefore, the authorities competent are bound to consider the said objections before passing final award.

5. In view of the facts and circumstances, the respondents are directed to consider the objections submitted by the writ petitioners and take a decision on merits and in accordance with law and by following the procedures as contemplated under the National Highways Act, 1956.

6. With the above directions, this Writ Petition stands disposed of. No costs.

18.08.2023
(1/2)

Veda/Jeni
Index:Yes
Speaking order
Neutral Citation:Yes



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To

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S.M.SUBRAMANIAM, J.

Veda/Jeni

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