



WEB COPY

W.P.No.1157 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1157 of 2023

T.Lakshmi Prabha

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Cuddalore District,
Cuddalore – 607 001.
- 2.The Special District Revenue Officer,
National Highways Department (Land Acquisition),
NH-45A & 227,
1st Floor, District Collector Office,
Cuddalore – 607 001.
- 3.The Special Tahsildar,
National Highways Department (Land Acquisition),
NH-45A, Alagu – 3,
Chidambaram – 608 001.
- 4.The Project Manager,
National Highways, Highways Authority of India,
(Ministry of Road Transport and Highways),
Project Implementation Unit, Puducherry,
Plot No.29, Sematy Road, Pommaiyarpalayam,
Puducherry – 605 104.

5. Vasantha Ammal

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to consider the petitioner's representation dated on 02.09.2022 and subsequently direct the 2nd and 3rd respondents to pay the compensation amount of Rs.29,70,044/- (Rupees Twenty Nine Lakhs Seventy Thousands and Forty Four only) to the petitioner herein.

For Petitioner	: Mr.P.Paramasivadass For Ms.Girija
For R1 To R3	: Mr.N.Naveenkumar, Government Advocate
For R4	: Mr.S.R.Sumathy
For R5	: Mr.K.Balu

ORDER

The relief sought for in the present writ petition is to direct the respondents 2 and 3 to consider the petitioner's representation dated on 02.09.2022 and subsequently direct the respondents 2 and 3 to pay the compensation amount of Rs.29,70,044/- to the petitioner.

2. It is not in dispute between the parties that the Subject lands were



acquired by the National Highways Authority of India for expansion of road projects. The procedures contemplated under the National Highways Act, 1956 were followed by the authorities and the quantum of compensation to be paid to the landholders were determined and paid accordingly.

3. The very relief sought for in the present writ petition is to direct the respondents 2 and 3 to settle the compensation in favour of the petitioner.

4. The respective learned counsels appearing on behalf of the respondents brought to the notice of this Court that the compensation has already been settled pursuant to the award in favour of the 5th respondent. If at all any dispute exists between the petitioner and the 5th respondent, it is to be construed as a private dispute and parties have to approach the Civil Court for resolving the issues.

5. The learned counsel for the petitioner made a submission that the petitioner is the absolute owner and he has got documents to establish his rights. That being the case, the petitioner has to approach the Competent Civil Court for the purpose of resolving the issues. As far as the 2nd



respondent is concerned, the land acquisition proceedings were completed and the compensation determined was also settled in favour of the landholders. Thus, the petitioner is at liberty to approach the Civil Court of Law.

6. With this liberty, this Writ Petition stands disposed of. No costs.

15.06.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

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Cuddalore – 607 001.
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National Highways Department (Land Acquisition),
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3. The Special Tahsildar,
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S.M.SUBRAMANIAM, J.

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