



WEB COPY

W.P. No.10726 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.10726 of 2017 and
W.M.P. No.11672 of 2017

G.V.R.K.Raju

... Petitioner

Vs.

1. Project Director
Project Implementation Unit
National Highways Authority of India
SIRI Tower, 3rd Floor,
DP 34, SP Industrial Estate,
Guindy,
Chennai - 600 032, Tamil Nadu
2. District Revenue Officer (LA-NH)
Kancheepuram and Tiruvallur Districts
Kancheepuram
Tamil Nadu
3. Tahsildar
GST Road,
Madurantakam, Near RTO Office,
Kancheepuram District
Tamil Nadu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 09.02.2017 and take appropriate steps,



including providing access to the petitioner's lands and build a wall separating the Truck bay from the petitioner's lands, within a time bound manner, preferably within a period of four weeks.

For Petitioner : Mr.R.Parthasarathy

For Respondents : Mrs.S.R.Sumathy
Standing Counsel for NHAI for R1
Mr.V.Veluchamy
Additional Government Pleader
for R2 and R3

ORDER

This Writ Petition is filed seeking to issue a Writ Mandamus directing the 1st respondent to consider the petitioner's representation dated 09.02.2017 and take appropriate steps, including providing access to the petitioner's lands and build a wall separating the Truck Lay-By from the petitioner's lands, within a time bound manner, preferably within a period of four weeks.

2. Heard and perused the materials available on record.

3. It is seen that the petitioner's land was acquired by the Government for the extension of National Highways and since a compound wall was



constructed, there is no access to the petitioner's land. Therefore, the petitioner has made a representation to the respondent to give access to his land and since there is no action, the present writ petition is filed.

4. It is seen that the petitioner's land was acquired for the purpose of the Truck Lay-By. Therefore, taking into consideration of safety, the petitioner's request to give access to his land through Truck Lay-By cannot be considered. Even in paragraph 7 of the counter, the 1st respondent has stated as follows;

7. I humbly submit that the Truck Lay Bye was constructed within the acquired land as per the provisions of agreement. The fencing/compound wall was not provided, however, the kerb stones have been provided around the Truck Lay Bye to discourage vehicles parked in Truck Lay Bye go beyond NHAI boundary and into vehicles from outside Truck Lay Bye in view of safety aspect.

5. In view of the above, this Writ Petition is dismissed. However, it is for the petitioner to take steps to get a private land to access his land. Consequently connected Miscellaneous Petition is closed. There shall be no



order as to costs.

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06.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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P.VELMURUGAN. J.

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