



W.A.No.2913 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2913 of 2023

V.Gunasekaran

.. Appellant

Vs

1.The Competent Authority and District Revenue Officer,
(Land Acquisition)
National Highways,
Kancheepuram and Thiruvallur District,
Kancheepuram.

2.The Special Tahsildar (Land Acquisition)
Mammallapuram-Puducherry National Highways Scheme,
Unit III,
Chengalpattu District.

3.The Project Director,
National Highways Authority of India,
Kancheepuram.

.. Respondents

PRAYER : Appeal under Clause 15 of the Letters Patent against the
order dated 22.8.2023 in W.P.No.644 of 2023 passed by the
learned Single Judge.



WEB COPY



W.A.No.2913 of 2023

For the Appellant : Mr.C.Jagadish

For Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for respondents 1 and 2

: Mrs.S.R.Sumathy
for 3rd respondent

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.C.Jagadish, learned counsel for the appellant; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 and 2; and Mrs.S.R.Sumathy, learned counsel for the third respondent.

2. The appellant had filed a writ petition with a prayer that the respondents shall not proceed with the road extension work in appellant's land in Survey Nos.112/3A2, 112/3A1B1 and 116/1 at Vadapattinam Village, Chengalpattu District, without following the



W.A.No.2913 of 2023

mandatory requirement for acquisition of land under the National Highways Act. The learned Single Judge disposed of the writ petition observing that the final award has been passed and, thus, the land vests with the government.

3. Learned counsel for the appellant submits that the appellant had raised an objection at the time of issuance of notice under Section 3C(1) of the Act. The objection is not considered. No enquiry is conducted. The appellant was not aware of the award passed till a counter is filed. The appellant had filed a representation seeking a copy of the award. The same is also not furnished.

4. Once the award has been passed, the arguments of learned counsel cannot be considered now. The appellant had not challenged the award.

5. The learned Single Judge also observed that the final award has been passed. It was the stand of the respondents that the



W.A.No.2913 of 2023

award enquiry under Section 3G of the Act was conducted on 20.11.2020, with prior notice to the appellant. The contention of the appellant is otherwise.

6. Learned counsel for the third respondent submits that the copy of the award would be furnished to the appellant.

In view of the above, the writ appeal stands disposed of. There will be no order as to costs. Consequently, C.M.P.No.24170 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

18.10.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



W.A.No.2913 of 2023

WEB COPY

To:

- 1.The Competent Authority and District Revenue Officer,
(Land Acquisition)
National Highways,
Kancheepuram and Thiruvallur District,
Kancheepuram.
- 2.The Special Tahsildar (Land Acquisition)
Mammallapuram-Puducherry National Highways Scheme,
Unit III,
Chengalpattu District.
- 3.The Project Director,
National Highways Authority of India,
Kancheepuram.



WEB COPY



W.A.No.2913 of 2023

THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

W.A.No.2913 of 2023

18.10.2023