



W.P.No.32412 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.P.No.32412 of 2023

K.Thulasingham

... Petitioner

Vs.

1.The District Collector-cum-Arbitrator
Office of the District Collectorate
Villupuram District

2.Special / District Revenue Officer (Land Acquisition)
National Highways
Villupuram District

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to conduct appropriate enquiry on the application made by the petitioner dated 29.05.2023, seeking for enhanced compensation for acquiring the petitioner's property situated at Survey No.134/1A3B, wet land measuring an extent of 113 sq. mts at Navamaalkapper Village, Villupuram Division, Villupuram District, along with the commercial and residential building of the petitioner, acquired for the four laning / construction / extension of Villupuram - Puducherry - Cuddalore - Nagapattinam



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Section of NH45 - A of NHDP Phase IV in Villupuram District, duly following the parameters set forth in Section 28 of the right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act - 2013 and thereafter to determine the award amount, duly following the procedures contemplated under the provisions of the Act and following the settled proposition of law.

For Petitioner : Mr.B.Balavijayan

For Respondents : Mr.P.Gurunathan
Addl. Govt. Pleader

ORDER

The writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to conduct appropriate enquiry on the application made by the petitioner dated 29.05.2023, seeking for enhanced compensation for acquiring the petitioner's property situated at Survey No.134/1A3B, wet land measuring an extent of 113 sq. mts at Navamaalkapper Village, Villupuram Division, Villupuram District, along with the commercial and residential building of the petitioner, acquired for the four laning / construction / extension of Villupuram - Puducherry - Cuddalore - Nagapattinam Section of NH45 - A of NHDP Phase IV in Villupuram District, duly following



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the parameters set forth in Section 28 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act - 2013 and thereafter to determine the award amount, duly following the procedures contemplated under the provisions of the Act and following the settled proposition of law.

2.Learned counsel for the petitioner submitted that his land was acquired by the respondents for four laning / construction / extension of Villupuram - Puducherry - Cuddalore - Nagapattinam Section of NH45 - A of NHDP Phase IV in Villupuram District without determining the value for the property and directly deposited the compensation amount in his account and they have also not given any details of the compensation awarded. Hence he made the representation to the respondents and the same is yet to be considered.

3.Mr.P.Gurunathan, the learned Additional Government Pleader has taken notice for the respondents.

4. Learned Additional Government Pleader appearing for the respondents



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submitted that the representation of the petitioner dated 29.05.2023 will be considered shortly and appropriate orders will be passed on merit.

5.Since it is only a simple Writ of Mandamus to consider the petitioner's application dated 29.05.2023 and there is also no rival claimants, the respondents are hereby directed to consider the application of the petitioner dated 29.05.2023 and pass orders in accordance with law within a period of two (2) months from the date of receipt of a copy of this order.

6.This Writ Petition stands disposed of accordingly. No costs.

17.11.2023

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Index : yes / no
Neutral citation

To

1.The District Collector-cum-Arbitrator
Office of the District Collectorate
Villupuram District

2.Special / District Revenue Officer (Land Acquisition)

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Villupuram District

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