



W.P.(MD)No.20470 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20470 of 2021

1.T.Chinnaraj
2.T.Gurusamy

... Petitioners

Vs

- 1.The District Collector,
Office of District Collector,
Dindigul 624 004.
- 2.The Special District Revenue Officer
(Land Acquisition),
O/o. Special Revenue Officer,
National Highways Authority of India,
No.567, APJ Abdul Kalam Street,
Chennamanaikanpatty, Collectorate Post,
Dindigul District-624 004.
- 3.The Chairman,
National Highways Authority of India,
G5 and 6 Sector - 10, Dwarka,
New Delhi-110 075.
- 4.The Project Director,
HN 07 and 209 Project Implementation Unit,
National Highways Authority of India,
Chennamanakanpatti,
Collectorate Post,
Dindigul-624 004.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to reassess value of acquired the land including well and standing crops by the Government value considering the petitioner's representation sent to the 1st respondent dated 06.10.2021.

For Petitioners	: Mr.M.Sheik Abdullah
For R-1 & R-2	: Mr.K.S.Selva Ganesan, Additional Government Pleader
For R-3 & R-4	: Mr.Su.Srinivasan Standing Counsel

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the first respondent to deal with the application submitted by the petitioners on 06.10.2021 and to refix the compensation amount and pay the same to the petitioners.

2. Heard the learned counsel on either side.

3. The case of the petitioners is that their lands were acquired by the National Highways Authority of India (NHAI). The compensation



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was assessed by the second respondent, who is the competent authority and an order was passed on 23.03.2020. The petitioners were not satisfied with the compensation granted by the second respondent. Hence, the petitioners made an application before the first respondent under Section 3-G(5) of the National Highways Act, 1956, seeking for reassessment of compensation and for payment of enhanced compensation to the petitioners. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. Taking into consideration the facts and circumstance of the case and also of the fact that the petitioners have already filed an application before the first respondent seeking for enhancement of compensation, there shall be a direction to the first respondent to deal with the application submitted by the petitioners on 06.10.2021 after giving an opportunity to the petitioners and NHAI and final orders shall be passed strictly in accordance with law within a period of three (3) months from the date of receipt of a copy of this order.



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5. This Writ Petition is disposed of accordingly, No costs.

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NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The District Collector,
Office of District Collector,
Dindigul 624 004.

2.The Special District Revenue Officer
(Land Acquisition),
O/o. Special Revenue Officer,
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N.ANAND VENKATESH, J.

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