



WEB COPY

W.P. No.4062 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4062 of 2024

A.Vijayakumar

... Petitioner

Vs.

1. National Highways Authority of India
Rep. by its Project Director
Office of the Project Implementation Unit (NS)
Door No.212-3/D3-1
Srinagar Colony, Narasothipatty
Salem - 636 004
2. National Highways Authority of India
Rep. by its Deputy General Manager
Office of the Project Implementation Unit (NS)
Door No.212-3/D3-1
Srinagar Colony, Narasothipatty
Salem - 636 004
3. The Competent Authority -cum
Special District Revenue Officer
(Land Acquisition)
National Highways Authority of India
No.7, 46, 47, 48
Salem - Dharmapuri District at Krishnagiri



4. The Special Tahsildar (Land Acquisition)
National Highways Authority of India
N-68, Attur (E)
Salem

5. The Government of India
Rep. by its Director General
(Road Development)
Special Secretary, Ministry of Shipping
Road Transport and Highways
(Department of Road Transport and Highways)
New Delhi

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the respondents to consider the petitioner's representation dated 04.07.2021.

For Petitioner	: Mr.M.Karthik
For R1 and R2	: Mrs.S.R.Sumathy Standing Counsel for NHAI
For R3 and R4	: Mr.T.Arun Kumar Additional Government Pleader
For R5	: Mr.K.Subbu Ranga Bharathi Central Government Counsel

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 04.07.2021.



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2. The contention of the petitioner is that the petitioner's land was acquired on 31.08.2009 and since the respondents had fixed lower compensation, the petitioner had given a representation dated 04.07.2021 to the respondents, requesting to pay compensation under the New Land Acquisition Act. However, the same has not been considered. Hence, the present Writ Petition is filed.

3. Mrs.S.R.Sumathy, learned Standing Counsel for NHAI takes notice for the respondents 1 and 2. Mr.T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents 3 and 4. Mr.K.Subbu Ranga Bharathi, Central Government Counsel takes notice for the 5th respondent.

4. Having regard to the submissions made by the learned counsel on either side and since this writ petition is filed seeking to issue a simple writ of mandamus to consider the said representation, this Court, without expressing any opinion with regard to the merits of the case, directs the respondents to



consider the petitioner's representation dated 04.07.2021 if not already considered and pass orders on merits and in accordance with law if not already passed, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

20.02.2024

ksa-2

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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To

1. The Project Director

National Highways Authority of India
Office of the Project Implementation Unit (NS)
Door No.212-3/D3-1
Srinagar Colony, Narasothipatty
Salem - 636 004

2. The Deputy General Manager

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Office of the Project Implementation Unit (NS)
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Special Secretary, Ministry of Shipping
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WEB COPY



W.P. No.4062 of 2

P.VELMURUGAN. J.

Ksa-2

W.P. No.4062 of 2024

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