



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.03.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.5686 of 2024

K.Krishnakumar

.... Petitioner

VS

The Project Director,
National Highways Authority of India,
Project Implementation Unit Puducherry (NH-45A),
No.28 & 29, 1st Cross Street,
Ganapathy Nagar,
Arumparthapuram,
Puducherry-605110.

.... Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the respondent to provide access
from the National Highway NH45A to the lands of the petitioner in Kothattai
Village, Bhuvanagiri Taluk, Cuddalore District.

For Petitioner : Mr.D.Baskar

For Respondent : Mr.V.Ashok Kumar
for Mr.Su.Srinivasan
Standing Counsel

**ORDER**

Mr.V.Ashok Kumar, learned counsel on behalf of Mr.Su.Srinivasan, learned Standing Counsel accepts notice for the sole respondent/Project Director, National Highways Authority of India and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner claims to be the owner of the following property (in short 'property'/'property in question').

<i>Sl.No.</i>	<i>New S.No.</i>	<i>Extent Hec. Ares</i>
1	66/4B	0.20.68
2	66/4C1	0.07.00
3	66/4C2	0.07.00
4	66/5A	0.03.00
5	66/5B	0.03.00
6	66/5C	0.16.50

3. The petitioner also claims to be in possession of the same, raising Eucalyptus plants thereupon. The property in question has been acquired by the respondent for the expansion of National Highway NH45A. Some portions of the petitioner's land are also stated to have been acquired.

4. The petitioner is aggrieved by the construction of a barricade along side the property acquired by him which, according to him, has blocked the



access to the property in question. He claims that once the toll shed is completed and the fence laid, for which preparations are on-going, there will be no access to the property in question at all. The petitioner has made a representation on 23.11.2023 to the respondent (page 36 of the typed set) in this regard.

5. In light of the fact that it is for the respondent to look into the factual assertions of the petitioner and address the request of the petitioner properly, the relief sought for by the petitioner is moulded. The petitioner has sought a mandamus directing the respondent to provide access to the property in question from National Highways NH45A. Instead, this Court prefers to leave the adjudication on the request of the petitioner to the sole respondent.

6. Hence, mandamus is issued to the sole respondent to hear the petitioner and consider his request under representation dated 23.11.2023 on merits and in accordance with law, within a period of two (2) weeks from today.

7. This Writ Petition is disposed as above. No costs.

05.03.2024

Index : Yes/No

Speaking Order: Yes

Neutral Citation: Yes

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Note: Registry is directed to issue this order on or before 08.03.2024.



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DR.ANITA SUMANTH, J.

sl

To

The Project Director,
National Highways Authority of India,
Project Implementation Unit Puducherry (NH-45A),
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