



W.P.No.7960 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

**W.P.No.7960 of 2024
and
W.M.P.No.8927 of 2024**

Parvathi Vasudevan

... Petitioner

Vs.

- 1 The Chairman
National Highway Authority of India (NHAI)
No.G5 and 6 sector-10, Dwaraka,
New Delhi- 110 075.
- 2 National Highways Authority of India,
Rep. by its Project Director ,
No.7/16 Govindarajan Street, Tambaram West,
Kancheepuram District-600 045.
- 3 The Competent Authority and Special District Revenue Officer,
(Land Acquisition) National Highways Department,
Chengalpattu.
- 4 The District Collector
Chengalpattu District, Chengalpattu.

... Respondents



W.P.No.7960 of 2024

PRAYER:
WEB COPY

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to disburse a Sum of Rs.1,80,392/- as per the draft award dated 25.03.2022 RC.58(3)/2019/UNIT-IV in so far as 22Sq.mts (220 Sq.ft) comprised in (Old Survey No. 157/5B6) New Survey No. 157/5B6B situated at No.62 Plot No.4 Nainarkuppam Village Edaikazhinadu Town Panchayat Cheyyur Taluk Chengalpattu District and refer the petitioners representation dated 09.10.2023 and 04.11.2023 before the 4th respondent for higher compensation within a time frame fixed by this Honorable Court.

For Petitioner : Mr.R.Murugan
For R1 and R2 : Mr.SU.Srinivasan
Standing Counsel for NHAI
For R3 & R4 : Mr.T.Arun Kumar
Additional Government Pleader

ORDER



W.P.No.7960 of 2024

WEB COPY

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the third respondent to disburse a sum of Rs.1,80,392/- as per the draft award dated 25.03.2022 in RC.58(3)/2019/UNIT-IV insofar as 22 sq.mts (220 Sq.ft) comprised in (Old Survey No. 157/5B6), New Survey No. 157/5B6B, situated at No.62 Plot No.4, Nainarkuppam Village, Edaikazhinadu Town Panchayat, Cheyyur Taluk, Chengalpattu District, is concerned and refer the petitioner's representations dated 09.10.2023 and 04.11.2023 before the fourth respondent for higher compensation.

2. Heard the learned counsel appearing for the petitioner, learned Standing Counsel appearing for NHAI/Respondents 1 and 2 and the learned Additional Government Pleader appearing for the respondents 3 and 4 and perused the materials available on record.

3. Learned counsel for the petitioner submitted that though two reliefs are sought for in this writ petition, ie., one is for payment of the Award amount and another is for referring the said representations to the Arbitrator/District Collector, during the pendency of the present writ



W.P.No.7960 of 2024

WEB COPY

petition, the respondents/ Authorities have paid the compensation amount. However, the petitioner is still aggrieved by the Award passed by the competent authority. Hence, he wants to file an appeal for enhancement of compensation. Though he made the said representations before the respondents/Authorities, they have not referred the matter to the Arbitrator/District Collector. The part of the relief sought for in this writ petition is yet to be complied with and hence, he seeks suitable direction to refer the matter.

4. The learned Standing Counsel appearing for the National Highways Authority of India, submitted that as per the Land Acquisition Act, the authority in this case will not refer the case for higher compensation and it is for the petitioner to independently file an appeal before the appropriate authority.

5. Already necessary compensation has been paid to the petitioner and he has also received the same. The petitioner is at liberty to work out his remedy for the other part of the relief sought for in this



W.P.No.7960 of 2024

writ petition in the manner known to law.

WEB COPY

6. With the abovesaid directions, the Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.03.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1 The Chairman

National Highway Authority of India (NHAI)
No.G5 and 6 sector-10, Dwaraka,
New Delhi- 110 075.

2 National Highways Authority of India,

Rep. by its Project Director ,
No.7/16 Govindarajan Street, Tambaram West,
Kancheepuram District-600 045.

3 The Competent Authority and Special District Revenue Officer,
(Land Acquisition) National Highways Department,
Chengalpattu.

4 The District Collector
Chengalpattu District, Chengalpattu.



WEB COPY



W.P.No.7960 of 2024

P.VELMURUGAN, J.

mfa

**W.P.No.7960 of 2024
and
W.M.P.No.8927 of 2024**

27.03.2024