



WEB COPY

W.P.No.11145 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.11145 of 2024

Shankar Anand

...

Petitioner

versus

1.The District Collector,
District Collector Office,
Tirupattur,
Tirupattur District - 635 601.

2.The District Revenue Office cum
The Land Acquisition Officer,
District Collectorate,
Sathvachari, Vellore District.

3.The District Revenue Office cum
The Land Acquisition Officer,
District Collectorate,
Tirupattur,
Tirupattur District - 635 601.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to refer the land acquisition proceedings initiated in respect of the petitioner's land bearing Survey No.274/8 situated at Pachal Village, Tirupattur Taluk, (previously Vellore) Tirupattur District, which was acquired for the purpose



of widening of road for construction of road bridge, in lieu of Railway Kadavu No.89 by the Highways Department, to the reference Court under Section 20 (1) of the Tamil Nadu Highways Act, 2001.

For Petitioner : Mr.S.Sidhartha Vishnu
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to refer the land acquisition proceedings initiated in respect of the petitioner's land bearing Survey No.274/8 situated at Pachal Village, Tirupattur Taluk, Tirupattur District, which was acquired for the purpose of widening of road for construction of road bridge, in lieu of Railway Kadavu No.89 by the Highways Department, to the reference Court under Section 20 (1) of the Tamil Nadu Highways Act, 2001

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and perused the materials available on record.



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3. The grievance of the petitioner is that though the petitioner and others had given a representation in the year 2013 to refer the case before the Land Acquisition Proceedings, only 78 cases have been referred, the petitioner's case has not been referred. In this regard, he has given an individual representation in the year 2023 and the same has not been considered.

4. The learned Additional Government Pleader for the respondents would submit that the first respondent / District Collector will consider the representation of the petitioner and pass orders for reference.

5. As the other similarly placed persons cases' have been already referred, the petitioner is also entitled to the similar relief and he cannot be non suited on the ground of delay. When the group of persons have given representation in the year 2013, it cannot be said that the petitioner has not been made any such representation. Therefore, merely on the ground of omission on the part of the Authorities, the petitioner cannot be discriminated.



6. Hence, there shall be a direction to the first respondent to consider the case of the petitioner for reference. Such exercise shall be made within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

12.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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N.SATHISH KUMAR, J.

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