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WP.No.11721 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **29.04.2024**

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THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11721 of 2024

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.. Petitioner

Versus

1. The District Collector,
Collectorate, GST Road, Chengalpet District – 603 001.
 2. The Tahsildar,
Cheyyur Taluk, Chengalpet District – 603 302.
 3. The Competent Authority and Special District Revenue Officer,
[Land Acquisition], National highways, Mamallapuram Puducherry
Corridor, Varadharajan Street, Chengalpet District – 603 001.
 4. The Special Tahsildar [Land Acquisition]
Mamallapuram – Puducherry National Highway Scheme Unit – 2,
No.6, Varadharajan Street, Vedhachalam Nagar, Chathirampettai Village,
Cheyyur Taluk, Chengalpet District – 603 001.
 5. The Regional Officer,
National Highway Authority of India,
P.I.U. Chennai, Sri Tower, 3rd Floor, Developed Plots – 34,
Industrial Estate, Guindy, Chennai – 600 032.
- .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the third and fourth respondents



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to pay compensation to the petitioner based on the proceedings of the second respondent in Na.Ka.No.3118/2023/A1, dated 07.07.2023 and the representation of the petitioner dated 12.12.2023 in accordance with the Land Acquisition and Rehabilitation and Resettlement Act, 2013.

For Petitioner : Mr.G.Gokul

For Respondents : Mr.G.Ameedius
Government Advocate – R1 to R4

Mr.Su.Srinivasan – R5

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the third and fourth respondents to pay compensation to the petitioner based on the proceedings of the second respondent in Na.Ka.No.3118/2023/A1, dated 07.07.2023 and the representation of the petitioner dated 12.12.2023 in accordance with the Land Acquisition and Rehabilitation and Resettlement Act, 2013.

3. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 4 and perused the materials available on record.



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4. The case of the petitioner is that an eviction Order has been passed for a portion of the land of the petitioner for widening of the East Coast Road.

Challenging the same, the petitioner filed a Writ Petition in W.P.No.26955 of 2023 and this Court by an Order dated 13.9.2023 while dismissing the Writ Petition had observed that the petitioner can prosecute his representation for the purpose of compensation. Pursuant to the same, the petitioner has made a representation to the fourth respondent seeking compensation for construction put up by him. However, the same has not been considered by the respondents. Similarly situated persons have been granted compensation for the construction put up by them. Hence, the present Writ Petition.

5. Considering the limited relief sought for in this writ petition, without going to the merits of the case, there shall be a direction to the third and fourth respondents to consider the representation of the petitioner dated 12.12.2023 and pass Orders on the same on merits and in accordance with law, taking note of the fact that similarly situated persons have been paid compensation for the construction put up by them as per the proceedings of the fifth respondent in R.C.No.729/2023/CALA Unit-3, within a period of two months from the date of receipt of a copy of this order.



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6. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

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N. SATHISH KUMAR, J.

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