



WEB COPY

W.P.No.19439 of 2024
and W.M.P.No.21290 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.19439 of 2024
and W.M.P.No.21290 of 2024

1.M.Thimmaiah
2.Jayamma

...

Petitioners

versus

1.The Arbitrator cum District Collector,
Collectorate Office,
Krishnagiri District,
Krishnagiri.

2.Competent Authority /
Special District Revenue Officer - Land Acquisition,
National Highways - 844
Hosur-Royakottai-Dharmapuri Section,
Krishnagiri.

3.The Project Director,
National Highways Authority of India,
PIU-Krishnagiri,
259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri District.

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Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pass appropriate orders on the appeal petition dated 01.07.2024 by revaluation and remeasurement of petitioners superstructure situated in S.No.194/1C, to an extent of 0450 sq.meters at Mathigiri Village, Hosur Taluk and to refix the compensation as per the provisions of the Central Act 20 of 2013.

For Petitioner	:	Mr.S.C.Vishwanth
For Respondent Nos.1 & 2	:	Mr.P.Ganesan Additional Government Pleader
For Respondent No.3	:	Mr.Su.Srinivasan

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the respondents to pass appropriate orders on the appeal filed by the petitioners dated 01.07.2024 by revaluation and remeasurement of the petitioners superstructure situated in Survey No.194/1C, to an extent of 0450 sq.meters at Mathigiri Village, Hosur Taluk and to re-fix the compensation as per the provisions of the Central Act 20 of 2013.



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3. Heard the learned counsel for the petitioner; learned Additional Government Pleader for the respondents 1 and 2; learned counsel for the third respondent and perused the materials available on record.

4. It is the grievance of the petitioners that their lands were acquired and an award has been passed by the second respondent dated 18.03.2024. However, without paying the compensation, the authorities are now attempting to take possession of the property. Hence, they seek a direction.

5. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the first respondent to dispose of the appeal filed by the petitioner dated 01.07.2024 by considering all the parameters as provided under the Act to assess the value of the superstructure and pass appropriate orders, on its own merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.



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6. The petitioners are at liberty to file an application before the District Collector for revaluing the superstructure. Therefore, till the disposal of the appeal, there cannot be any demolition. If the demolition takes place immediately, there may not be any possibility for revaluing the superstructure.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

15.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

Note : Issue Order Copy on 18.07.2024

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To

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- 1.The Arbitrator cum District Collector,
Collectorate Office,
Krishnagiri District,
Krishnagiri.
- 2.The Competent Authority /
Special District Revenue Officer - Land Acquisition,
National Highways - 844
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N.SATHISH KUMAR, J.

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15.07.2024
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