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WP.No.21130 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.08.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21130 of 2024

P.R.Sakthivel

.. Petitioner

Versus

1. Union of India, Rep. by its Secretary,
Ministry of Road Transport and Highways Department,
Transport Bhawan, 1, Parliament Street, New Delhi - 110 001.
2. The Secretary to the Government,
Revenue Department, Government of Tamilnadu,
Fort St. George, Chennai – 600 009.
3. National Highways Authority of India,
Rep. by its Project Director, Regional Office – Chennai,
5th Floor, CMRL Building, Poonamallee High Road,
Koyambedu, Chennai – 600 107.
3. The District Collector,
Collectorate Chennai, Rajaji Salai, Fourth Floor,
62, Beach Road, George Town, Chennai - 600 001.
4. The Competent Authority and Special District Revenue Officer (LA/NH),
No.6/25, Lalbagadur Sastri Street,
Periyakuppam, Thiruvallur - 602 001,
Near Thulasi Theatre.
5. The Revenue Divisional Officer, Ambattur Division,
Ambattur Division, Ambattur Road,
Ambattur, Chennai – 600 053.



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7. The Tahsildar, Aminjikarai Taluk,
Bharathipuram Main Road, Gajalakshmi Colony,
Kathiravan Colony, Shenoy Nagar, Chennai - 600 030. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of directing the fifth respondent to pay compensation under the Right to Fair compensation and transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 as amended pertaining to the lands situated in survey NO.129 part T.S.No.9 block No.45 measuring an extent of 99.297 sq.mtrs and 78.702 sq.mtrs at Old Door No.2/5 New Door No.1, Poonamallee High Road, Koyambedu, Chennai – 600 107 by considering petitioner representation dated 27.5.2024.

For Petitioner : Mr.David Tyagaraj

For Respondents : Mr.C.Samivel
Central Government Standing Counsel – R1

Mr.P.Sathish
Additional Government Pleader – R2, R4 & R7

Mrs.S.R.Sumathy – R3

ORDER

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



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2. This Writ Petition is filed to direct the fifth respondent to pay compensation under the Right to Fair compensation and transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 as amended pertaining to the lands situated in survey NO.129 part T.S.No.9 block No.45 measuring an extent of 99.297 sq.mtrs and 78.702 sq.mtrs at Old Door No.2/5 New Door No.1, Poonamallee High Road, Koyambedu, Chennai – 600 107 by considering representation of the petitioner dated 27.5.2024.

3. Heard the learned counsel for the petitioner; learned Central Government Standing Counsel for the first respondent, learned Additional Government Pleader for the respondents 2, 4 and 7 and the learned counsel appearing for the third respondent and perused the materials available on record.

4. It is the contention of the learned counsel for the petitioner that admittedly the land acquired was 'Grama Natham' and the petitioner is in the possession of the property. It is also brought to the notice of this Court by the learned counsel for the petitioner that National Highways Authority of India has also addressed a communication dated 27.06.2023 in NHAI/11013/2/2022/PIU,Chennai/1135 to the Competent Authority and Special District Revenue Officer (I.A), National Highways, Tiruvallur, for taking necessary action after due



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verification for payment of compensation. The said communication makes it clear that the petitioner is having possession over the property on the basis of the Thoraya Patta already issued to him.

5. In such view of the matter, let the Competent Authority and Special District Revenue Officer / fifth respondent is directed to consider the representations of the petitioner dated 27.05.2024 and 15.06.2024 and pass orders on merits for payment of compensation in accordance with law, within a period of two months from the date of receipt of a copy of this order.

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

01.08.2024

VRC

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

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2. The Secretary to the Government,
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N. SATHISH KUMAR, J.

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