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W.P.No.26312 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.26312 of 2024

D.Nagendrababu

... Petitioner

vs.

1.The Special District Revenue Officer,
Land Acquisition Officer,
Tamil Nadu Road Development Scheme – II,
2nd Floor, Small Scale Industries Development Corporation ,
Block II, E-10 Tiru.Vi.Ka.Industrial Estate,
Guindy, Chennai – 32.

2.The Special Tahsildar,
Land Acquisition,
Chennai – Kaniyakumari Industrial Scheme,
Arakkonam Unit, (Near Vasanth and Co),
Bharathi Street,
Arakkonam.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 10.04.2024, seeking restoration of the petitioner's unacquired land comprised in S.No.594/2G2 having an extent of 27.60 sq.mts, Thanigaipolur Village, Arakkonam Taluk, Ranipet District.



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For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to consider his representation dated 10.04.2024 seeking restoration of petitioner's land in S.No.594/2G2 having an extent of 27.60 sq.mts, Thanigaipolur Village, Arakkonam Taluk, Ranipet District.

2. According to the petitioner 80 sq. mts of property in Old S.No.594/2G2 was acquired by the respondents for widening of State Highway No.58. At the time of taking possession, the respondents had taken more extent than the one covered by the land acquisition notification. Thus the respondents are in possession of extent of 27.60 sq.mts of petitioner's land not covered by the acquisition notification. Therefore, the petitioner submitted a representation to the respondents on 10.04.2024 seeking restoration of possession to the petitioner in respect of the land which are not covered by the land acquisition notification and the same has not been considered. Therefore, the petitioner is before this Court.



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3. The learned Additional Government Pleader who is taking notice for the respondents would submit that the representation of the petitioner will be considered on its own merits.

4. The main grievance of the petitioner is that at the time of taking possession of the property of the petitioner, pursuant to the land acquisition notification, the respondents had taken possession of excess land and hence the second respondent need to be directed to consider the representation of the petitioner and survey the land.

5. In view of the same, without going into the merits of the claim made by the petitioner, the second respondent is directed to survey the land and take a decision on the representation of the petitioner dated 10.04.2024 within a period of six weeks from the date of receipt of a copy of this order.



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6. Accordingly, this writ petition is disposed of. No costs.

06.09.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To

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S.SOUNTHAR, J.

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