



W.P.No.35653 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.35653 of 2024

and

W.M.P.No.38511 of 2024

R.Ponnuchamy

... Petitioner

Vs.

1. The District Collector,
Chengalpattu District,
Collectorate,
Chengalpattu District.
2. The Special District Revenue Officer (Land Acquisition),
Mamallapuram – Puducherry Express Road Scheme,
Chengalpattu District,
at Old Collectorate, G.S.T.Road,
Chengalpattu Town,
Pincode – 603 001.
3. The Revenue Divisional Officer,
Mathuranthagam Division,
Chengalpattu District,
at Old Collectorate, G.S.T.Road,
Chengalpattu Town,
Pincode – 603 001.



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4. The Special Tahsildar (Land Acquisition),
Mamallapuram – Puducherry Express Road Scheme,
Unit – 3, Chengalpattu District,
at Old Collectorate, G.S.T.Road,
Chengalpattu Town,
Pincode – 603 001.

5. The Tahsildar,
Madhuranthagam Taluk Office,
Madhuranthagam,
Chengalpattu District.

6. The Village Administrative Officer,
Mugaiyur Village,
Chengalpattu Taluk,
Chengalpattu District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the Respondents to disburse or deposit the compensation amount of Rs.39,63,284/- (Rupees Thirty Nine Lakhs Sixty Three Thousand Two Hundred and Eighty Four Only) awarded by the 2nd respondent along with interest within a time frame as may be stipulated by this Hon'ble Court to the Petitioner for the property comprised in Old Survey No.226/3, New Survey No.226/3A1B measuring an extent of 792 sq.ft attached with 70 trees along with constructed fencing with gate situated at No.121, Mugaiyoor Village, Cheyyur Taluk, Chengalpattu District acquired by the 2nd respondent for the purpose of Mamallapuram – Puducherry Express road Project under the National Highways Act, 1956.



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For Petitioner : Mr.K.Balasubramanian

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of the Respondents.

2. This Writ Petition has been filed for a Mandamus to direct the Respondents to disburse or deposit the compensation amount of Rs.39,63,284/- (Rupees Thirty Nine Lakhs Sixty Three Thousand Two Hundred and Eighty Four Only) awarded by the 2nd respondent along with interest within a time frame as may be stipulated by this Hon'ble Court to the Petitioner for the property comprised in Old Survey No.226/3, New Survey No.226/3A1B measuring an extent of 792 sq.ft attached with 70 trees along with constructed fencing with gate situated at No.121, Mugaiyoor Village, Cheyyur Taluk, Chengalpattu District acquired by the 2nd respondent for the purpose of Mamallapuram – Puducherry Express road Project under the National Highways Act, 1956.



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3. The case of the Petitioner is that the property in question which stood in the name of the Petitioner's wife and his daughters was the subject matter of the acquisition proceedings under a National Highways Act, 1956. The Petitioner would submit that without following due process of law and hearing the objection of the land owners publication under Section 3E(1) of the National Highways Act, 1956 was issued. The Petitioner would further submit that 3E(1) Notification was published on 26.08.2021 pursuant to which the Petitioner had submitted all the original documents to the 2nd Respondent for the purpose of receiving the compensation. Though the 2nd Respondent had assured that the compensation amount would be deposited into the Joint Account, the same has not been given effect to. The compensation amount of Rs.39,63,284/- has not been disbursed to date and therefore, the Petitioner is before this Court.

4. Mr.A.Selvendran, learned Special Government Pleader for the Respondents would submit that the compensation would be disbursed once the documents are submitted.



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5. Recording the same, the Writ Petition stands allowed by directing the Respondents to disburse the compensation amount to the Petitioner after the Petitioner producing the necessary documents. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is closed.

02.12.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation : Yes/No
rgm

To

1. The District Collector,



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WEB COPY

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Chengalpattu District.

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P.T.ASHA, J.

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