



W.P(MD)No.16591 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16591 of 2020

and

W.M.P.(MD)No.13876 of 2020

Saravanathai

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Madurai,
Madurai District.

2.The Special District Revenue Officer,
Land Acquisition,
National Highways in N.H.785,
K.K.Nagar,
Madurai District.

3.National Highways Authority of India,
Rep. by its Regional Manager,
2nd and 3rd Floor,
Vijay Krishna Plaza,
No.1, Lake Area,
Melur Main Road,
Mattuthavani,
Madurai-625 007.

4.The Project Director,
The National Highways Authority of India,
National Highways in N.H.785,
No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai-07.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent No.4 herein to provide permanent access to the petitioner's property in Survey No. 10/2 in Sathirathondaimanpatty Village, Madurai North Circle and Madurai District by constructing a culvert between petitioners property and the road in National Highways No.785 within a time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.K.Selva Ganesan
Additional Government Pleader for R1 & R2

: Mr.C.Arul Vadivel @ Sekar
Senior Counsel for R3 & R4

ORDER

Heard both sides.

2. The petitioner is owning lands in Sathirathondaimanpatty Village. Portion of her lands were acquired for formation of national highways. The petitioner's grievance is that proper permanent access has not been provided for her property. She also wants a culvert to be constructed between her property and the road. The petitioner has already given an application in this regard.

4. When the matter was taken up for hearing, the learned standing counsel for NHAI submitted that temporary access has already been provided



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for the petitioner. My attention is drawn to the communication dated 23.11.2020 by which the petitioner was informed that the contractor has made a temporary pathway to the petitioner to access her land. In fact, the photographs have also been produced.

5. The learned standing counsel further states that after NHAI works are completed, the petitioner can very well submit a fresh application under Section 29 of National Highways Act. As and when such an application is submitted, it would be appropriately considered and an order will be passed within a period of eight weeks thereafter. Recording the stand of the respondents, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.01.2024

Index : Yes / No
Internet : Yes/ No
rmi

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G.R.SWAMINATHAN, J.

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