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Writ Petition No.3778 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3778 of 2025

G.Rama Reddy
S/o.Gopalli Reddy

... Petitioner

Vs.

1. Competent Authority and Special District
Revenue Office (LA)
National Highways 948A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur Taluk, Krishnagiri District.

2. The Special Tahsildar (Land Acquisition),
National Highways No.948A STRR,
Unit II, Hosur Taluk,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing respondents 1 and 2 authorities to pay compensation for the petitioner's land in Survey Nos.60/7A2, 60/7B2 in Mallasandram Village, Hosur Taluk, Krishnagiri District by disposing of the petitioner's representations dated 16.05.2024 and 03.01.2025 within the time frame stipulated by this Court.

For Petitioner : Mr.R.Rameshraj

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER



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This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 and 2 to pay compensation for the property that was acquired by the Highways Department by considering the representations made by the petitioner.

2. Heard Mr.R.Rameshraja, learned counsel for petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing for respondent.

3. The case of the petitioner is that he and his son were owning certain properties. An extent of 318 sq.mts. in Survey No.60/7A2 and an extent of 4740 sq.mts. in Survey No.60/7B2 was acquired by the Highways Department for road extension project. The petitioner and his son gave no objection for the acquisition. Thereafter, notice came to be issued under Section 3E(1) of the National Highways Act directing the petitioner to produce necessary documents for the purpose of ascertaining the compensation. Accordingly, all the records were submitted and the competent authority fixed compensation of Rs.14,05,317/- through proceedings dated 05.02.2021 payable to the land owners.



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4. The petitioner and his son were informed that a suit is pending in O.S.No.168 of 2016 before the District Munsif cum Judicial Magistrate, Hosur, pertaining to the subject property. In view of the same, the compensation amount was not paid to the petitioner and his son.

5. It is the specific case of the petitioner that the said suit in O.S.No.168 of 2016 was filed by one Geetha against the petitioner and his son and this suit came to be dismissed for default as early as on 31.03.2023. This suit has not been restored and no appeal has been filed.

6. In view of the above development, notice was issued to the respondents to pay the compensation amount since the suit is no longer pending. In spite of receipt of the same, the compensation amount was not paid to the petitioner and his son and it is under these circumstances, the present writ petition has been filed before this Court.

7. Taking into consideration the facts and circumstances of the case and the materials placed before this Court and the fact that the compensation has already been determined through proceedings dated 05.02.2021 and the pending suit has also been dismissed for non-



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prosecution, there shall be a direction to the respondents to pay the eligible compensation to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. For this purpose, the compensation amount shall be handed over by the first respondent to the second respondent within a period of three (3) weeks and the compensation amount shall be paid to the petitioner within a period of three (3) weeks thereafter.

This writ petition is disposed of with the above direction. No costs.

06.02.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

1. Competent Authority and Special District
Revenue Office (LA)
National Highways 948A, STRR
Thenkanikotai Road
Arul Vajaram Complex Dinnur
Hosur Taluk, Krishnagiri District

2. The Special Tahsildar (Land Acquisition)



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N.ANAND VENKATESH, J

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