

In the High Court of Judicature at Madras

Dated: 17.03.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice M.M. SUNDRESH

Writ Petition No. 1191 of 2015

S.M. Daniel

... Petitioner

vs.

1. The Chief Secretary
Government of Tamilnadu
Secretariat, Fort St. George
Chennai-600009
2. The Member Secretary
Chennai Metropolitan Development Authority
Egmore, Chennai-600008
3. The District Collector
Kancheepuram District
Kancheepuram
4. The Branch Manager
Axis Bank Limited
Retail Assets Centre
Pallavaram, Chennai.
5. M/s. Prime Sristi Housing Pvt. Ltd.
D5, Rajkamal Apartments
Vinayaganagar, Madurai 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 3 to consider to pay the compensation for loss incurred by the petitioner as per the petitioner's petition dated 12.12.2014.

For Petitioner : Mr. S. Radhakrishnan

For Respondents : Mr. S.T.S. Murthi
Govt. Pleader for R1 & R3
Mr. A.L. Somayaji, Advocate General
assisted by Mr. K. Raja Srinivas for R2
Mr.V.T.Gopalan, Sr. Counsel
for Mr.S.Ashok Kumar for R5
No Appearance for R4

O R D E R

(Made by The Hon'ble The Chief Justice)

The petitioner claims that the land was purchased and building constructed and on 28.6.2014, the eleven storeyed building under construction by the fifth respondent collapsed and fell on his house and other two houses nearby, resulting in serious damage. The petitioner claims compensation from the Government on account of loss to his property. The petitioner has made a representation to the Government dated 12.12.2014.

2. We are, thus, of the view that the State Government may examine the representation of the petitioner in accordance with law within a maximum period of three months from today and pass its speaking order in respect thereof. We are sure that the Government would take a compassionate view of the matter to the extent possible. Needless to say that for any final relief, in case the petitioner is not satisfied with the decision of the Government, it can only be in civil proceedings, where by leading evidence, the exact compensation is quantified.

3. The petition accordingly stands disposed of. No costs. Consequently, M.P. No.1 of 2015 is closed.

Sd/-
सत्यमेव जयते

Assistant Registrar

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Sub Assistant Registrar

ATR

Copies to;

1. The Chief Secretary
Government of Tamilnadu
Secretariat, Fort St. George
Chennai-600009
2. The Member Secretary
Chennai Metropolitan Development Authority
Egmore, Chennai-600008
3. The District Collector
Kancheepuram District
Kancheepuram

+lcc to Mr.P.Ramaiah, Advocate, S.R.No.14746

W.P. No. 1191 of 2015

AK (CO)
CA (24/03/2015)



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