

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2015

CORAM

THE HON'BLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.26589 of 2014

J.Bhaskar Raj

[PETITIONER]

Vs

1 The District Collector
Kancheepuram Distirct
Tamil Nadu.

2 The Special Thasildar
(Land Acquisition)
Oragadam Industrial Park Road
Infrastructure Scheme
Sriperumbudur 602 105.

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to pay compensation to the petitioner with 9% interest for his acquired land viz. land bearing S.No.74/1B2 to an extent of 00119 sq.meter, situated at No.164, Varanavasi Village, Kancheepuram Taluk and District, acquired for the purpose of widening the State Highway between Vandalur Walajahbad.

For Petitioner ..Mr.P.R.Thiruneelakandan

For Respondents ..Mr.R.Rajeswaran
Spl.Govt.Pleader

O R D E R

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. Heard Mr.P.R.Thiruneelakandan, learned Counsel appearing for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader appearing for the respondents.

3.The petitioner seeks for a direction upon the respondents to pay compensation to the petitioner in respect of the lands which are acquired from the petitioner comprised in S.No.74/1B2 to an extent of 00119 sq.meter, situated at No.164, Varanavasi

Village, Kancheepuram Taluk and District, acquired for the purpose of widening the State Highway between Vandalur Walajahbad.

4.The respondents would state that the petitioner has to produce certain documents to show that the power of attorney executed in favour of the vendor of the petitioner is valid and that the power agent is alive.

5.It has to be pointed out that in the Award dated 20.12.2012, the name of the petitioner is shown to be the land owner. As long as there is no rival claim over the property in question from any third party or the vendor of the property or the power agent of the vendor of the petitioner, then the respondents cannot deny the payment of compensation to the petitioner.

6.Accordingly, the respondents are directed to consider the payment of compensation to the petitioner in respect of the lands acquired by them in S.No.74/1B2 to an extent of 00119 sq.meter, situated at No.164, Varanavasi Village, Kancheepuram Taluk and District.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpa
To

- 1 The District Collector
Kancheepuram Distirct, Tamil Nadu.
- 2 The Special Thasildar
(Land Acquisition)
Oragadam Industrial Park Road
Infrastructure Scheme
Sriperumbudur 602 105.

+ 1 cc to M/s. P.R. Thiruneelakendan, Advocate SR62976

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PPA(CO)
EU 30.11.15