

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.11.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.35295 of 2015

Pushpaleela

...Petitioner

Vs

1. The Collector,
kancheepuram District.

2. The Revenue Divisional Officer,
Chengalpattu Taluk,
Kanchipuram District

3. The Tahsildhar,
Adi-Dravidar Welfare Department,
Chengalpattu Taluk,
Kanchipuram District

...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse adequate compensation in respect of property acquired, measuring 0.15 cents (6540 Sq.Ft) situated in Survey No.12/1A 1A at Neikuppi Madhura narasangukuppam Village, Thirukazhikundram Taluk, Kanchipuram District under Tamilnadu Acquisition of Land for Harijan Welfare Scheme Act, 1978, on the basis of the prevailing value of the properties in consonance with the petitioner's representation dated 15.09.2015 in accordance with law.

For Petitioner :Ms.S.V.Devasanthi

For Respondents :Mr.R.Rajeswaran
Special Government Pleader

O R D E R

Heard Ms.S.V.Devasanthi, learned counsel appearing for the petitioner and Mr.R.Rajeswaran, Special Government Pleader appearing for the respondents. With the consent of either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2. The petitioner has filed this Writ Petition praying for issuance of Writ of Mandamus directing the respondents to disburse adequate compensation in respect of property, which is said to be taken by the petitioner.

3. The petitioner would assert that the property comprised in Survey No. 12/1A 1A measuring an extent of 0.15 cents at Neikuppi Madhura Narasangukuppam Village, Thirukazhikundram Taluk, Kanchipuram District was purchased by the petitioner by a registered sale deed dated 15.03.2004 registered as Document No.681 of 2004 on the file of the Sub Registrar, Thirukalukundram. The said property was the subject matter for acquisition under the provision of Tamilnadu Acquisition of Land for Harijan Welfare Scheme Act, 1978 and notice was issued under Rule 3(i) of the said Act. The petitioner is said to have submitted her objections. However, the land was acquired. Further, the 3rd respondent also verified as to whether the land falls within the ceiling limit under the Tamilnadu Urban Ceiling Act and the competent authority has certified that the land does not fall within the provision of the said Act. With these facts, the petitioner has made a representation seeking compensation at market rate.

Since this Writ petition is disposed of at the admission stage itself, the merits of the contentions raised by the petitioner has not been gone into and it would suffice to direct the 3rd respondent to consider the petitioner's representation dated 15.09.2015 on merits and in accordance with law and pass a reasoned order within a period of eight weeks from the date of receipt of copy of this order. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

WEB COPY

ssd

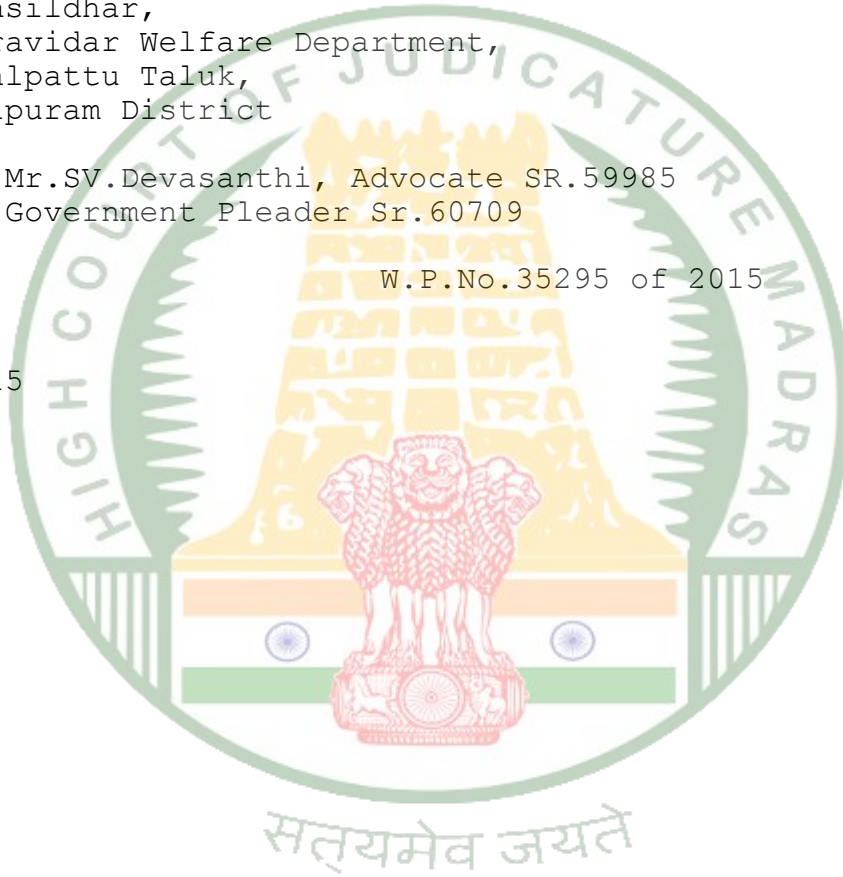
To

1. The Collector,
kancheepuram District.
2. The Revenue Divisional Officer,
Chengalpattu Taluk,
Kanchipuram District
3. The Tahsildhar,
Adi-Draavidar Welfare Department,
Chengalpattu Taluk,
Kanchipuram District

+ 1 cc to Mr.SV.Devasanthi, Advocate SR.59985
+ 1 cc to Government Pleader Sr.60709

W.P.No.35295 of 2015

CA(CO)
EU 14.12.15



WEB COPY