

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.37444 of 2015

S.Saravanakumar

... Petitioner

-Vs-

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Tahsildar,
Sholinganallur Taluk,
Kancheepuram District.

3. The Special Tahsildar,
(Land Acquisition - Unit V)
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

4. The Tamil Nadu Housing Board,
represented by its Managing Director,
Nandanam, Chennai 600 035.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to mutate the revenue records including the patta in the name of the legal heirs of late V.K.Subramanian in respect of the lands comprised in Survey No.311/1 and 318/1 measuring an extent of 5.71 acres at Sholinganallur Village and Taluk, Kancheepuram District based upon the representation of the petitioner dated 03.11.2015.

For Petitioner : Mr.R.Krishnamoorthy, SC
for M/s.R.Karthikeyan

For R1 to R3 : Mr.A.Kumar, SGP

For R4 : Mr.V.Anandhamoorthy

O R D E R

The petitioner made a representation dated 03.11.2015 to respondents 1 to 3 seeking transfer of patta with respect to the properties situated in S.No.311/1 measuring an extent of 2.15.0 Hectares and in S.No.318/1 measuring an extent of 0.03.5 Hectares in Sholinganallur Village and Taluk, Kancheepuram District.

2.In the said representation, the petitioner has stated that the above said lands have been acquired for neighbourhood scheme. Despite the fact that the land acquisition proceedings was challenged before the High court by way of WP.No.15331 of 1993 and WA.No.517 of 2001 and the same having been negatived, no compensation has been paid till now. Therefore, in view of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013, which came into force with effect from 1.1.2014, the above said lands would continue to be owned by the petitioner. This contention has to be raised in the said representation based on section 24(2) of the said enactment. Therefore, the petitioner has alleged that he has been in possession and enjoyment of the properties in question till now. As the representation made by the petitioner has not been disposed of, the present writ petition came to be filed.

3.In view of the same, without going into the merits of the case, a direction is issued to the second respondent to dispose of the petitioner's representation dated 03.11.2015 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rk

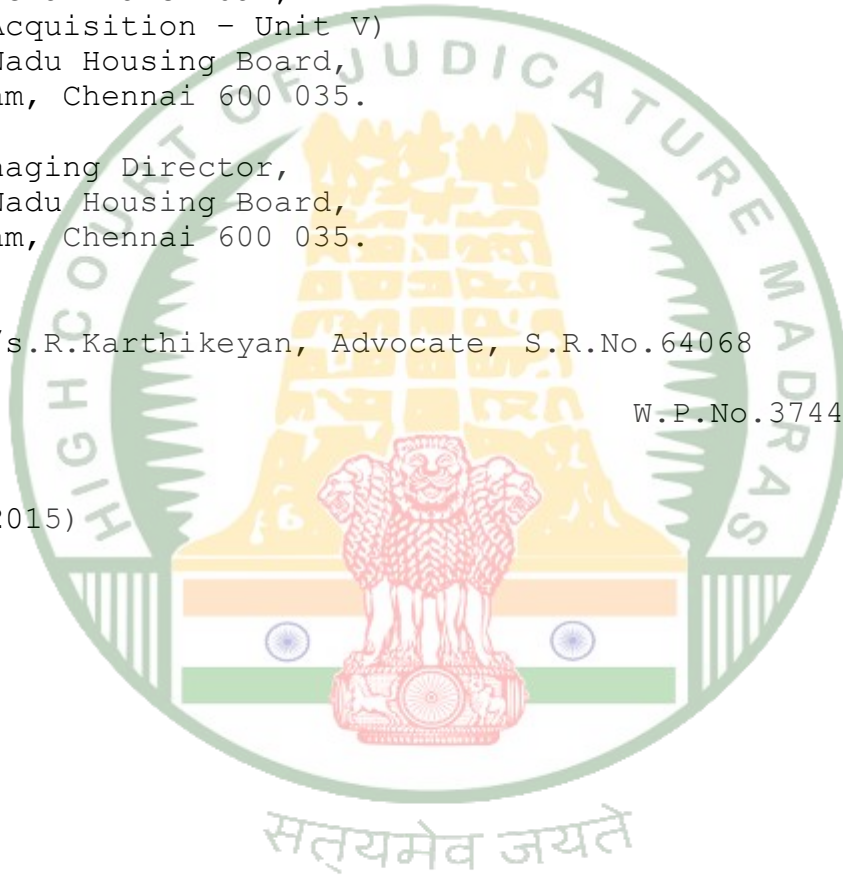
To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Sholinganallur Taluk,
Kancheepuram District.
3. The Special Tahsildar,
(Land Acquisition - Unit V)
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.
4. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai 600 035.

+1cc to M/s.R.Karthikeyan, Advocate, S.R.No.64068

W.P.No.37444 of 2015

MG(CO)
CA(10/12/2015)



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