

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.38407 of 2015

1. S.Kasthuri

2. S.Varadarajan

3. S.Sakila

4. S.Vimalraj

5. S.Amala

6. S.Padmavathi

7. Y.Vijaya

8. Y.Vinodraji

9. Y.Sunil Brinda

[PETITIONERS]

Vs

1. The Managing Director,
Tamilnadu Housing Board,
Nandanam, Chennai 600 035

2. The District Collector,
Thiruvallur District,
Thiurvallur.

3. The Special Tahsildar,
Land Acquisition (Unit-II)
Tamilnadu Housing Board Scheme,
Nandanam, Chennai 600 035

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus, directing the respondents to pay the enhanced compensation amount with interest to the petitioners for the Lands acquired in Survey Nos.20/1, 20/2, 26, 27 and 28 for an extent of 2.13 acres under Award No.19/83 dated 19.10.1983 in Nolambur Village, Ambattur Taluk, Thiruvallur District within a time frame to be fixed by this Honourable Court.

For Petitioners : Mr.Ashok Menon

For Respondents 1 and 3 : Mr.B.Vivekavanam

For Respondent 2 : Mr.R.Lakshminarayanan

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.Ashok Menon, learned Counsel appearing for the petitioners, Mr.B.Vivekavanan, learned counsel appearing for the first and third respondents and Mr.R.Lakshmi Narayanan, learned Additional Government Pleader appearing for the second respondent.

3. The petitioners, who are the land owners and whose lands were acquired during 1975 for the project of Tamil Nadu Housing Board, now seek for enhanced compensation. It is submitted that the enhanced compensation has been awarded by the reference Court and the petitioner has made several representations to the District Collector, who in turn, has addressed the first respondent vide proceedings dated 31.12.2012, based on the representation given by the petitioner. The said proceedings reads as follows:-

In the reference cited, representations have been received from Tmt.Sangeela, W/o.Sundrayan and three others, duly requesting the details of compensation paid for the following lands acquired from Tmt.Pattammal of Nolambur Village, Ambathur Taluk, vide award No.19/1983, for the Tamilnadu Housing Board Schemes.

Nolambur Village, Ambathur Taluk

Sl.No.	S.No.	Extent
1	20/1	0.35
2	20/2	0.41
3	26	0.39
4	27	0.51
5	28	0.47

In this regard, the above said four legal heirs have requested the following details:

- 1)What happened to the enhanced compensation?
- 2)What are all the other benefits entitled?

I am enclosing copies of the representation for reference, I request you to inform the action taken report in this regard to this Office immediately.

4. It appears that the first respondent is yet to send a report to the District Collector and therefore the petitioner has approached this Court.

5. In the light of the aforesaid facts, without going into the merits of the petitioners' claim, there will be a direction to the first respondent to send appropriate report to the second respondent in response to his communication dated 31.12.2012 with a copy of the communication marked to the Writ Petitioners. This exercise shall be complied with by the respondents within a period of eight weeks from the date of receipt of a copy of this order. On receipt of such report, the second respondent shall proceed with the matter in accordance with law.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

srn
To

1. The Managing Director,
Tamilnadu Housing Board,
Nandanam, Chennai 600 035
2. The District Collector,
Thiruvallur District,
Thiruvallur.
3. The Special Tahsildar,
Land Acquisition (Unit-II),
Tamilnadu Housing Board Scheme,
Nandanam, Chennai 600 035

+2 ccs to Mr.Ashokmenon, Advocate, sr.65819
+1 cc to Government Pleader, sr.j65718
+1 cc to Mr.B.Vivekavanam, Advocate, sr.65883

W.P. No.38407 of 2015

pur co
kra 18.12.2015