

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18904/2016

T.Ponni

... Petitioner

Versus

1 The Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai-9.

2 The District Collector
Collectorate Building
Chennai 600001.

3 Chennai Metro Rail Limited
Admin Buidlig, CMRL Depot
Poonamallee High Road,
Koyambedu, Chennai 600107.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to consider the petitioner application dated 07.04.2016 and to pay compensation against acquisition of petitioner's property situated at 35A/ Mettukulam, P.H.Road, Koyambedu, Chennai.

For Petitioner : Mr.R.Rangarajan
For RR 1 & 2 : Mr.K.Thangapandi,
Government Advocate
For R3 : Mr.Jayesh B Dolia

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner would state that she along with her family, were in possession and enjoyment of the land in Survey No.167/3, Mettukulam Colony, Koyambedu, Chennai, along with the superstructure for over 30 years and she was also issued with a house site patta on 27.05.1997 and she has also got electricity connection and was issued with Family Ration Card. The

petitioner would further state that all of a sudden, during March 2015, the officials of the 3rd respondent started claiming that the said land belong to them and the Government had handed over the possession and started putting up a compound wall. The petitioner, in this regard, has contacted the authorities including CMDA. But, she is yet to be favoured with any kind of response and the land along with the superstructure, which was in her possession had been taken over by the 3rd respondent for the purpose of Metro Rail project. The petitioner has submitted a representation on 07.04.2016 to the respondents praying for compensation in respect of the land taken from her and since no response is forthcoming, she came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner ; Mr.K.Thangapandi, learned Government Advocate who accepts notice on behalf of the respondents 1 and 2 and Mr.Jayesh B.Dolia, learned counsel who accepts notice on behalf of the 3rd respondent.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents 2 and 3 to consider and dispose of the petitioner's representation dated 07.04.2016 on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

-s/d-

सहयोगी
Assistant Registrar (CSIV)

True Copy

Sub-Assistant Registrar

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To

1 The Chief Secretary
Government of Tamil Nadu
Secretariat, Chennai-9.

2 The District Collector
Collectorate Building
Chennai 600001.

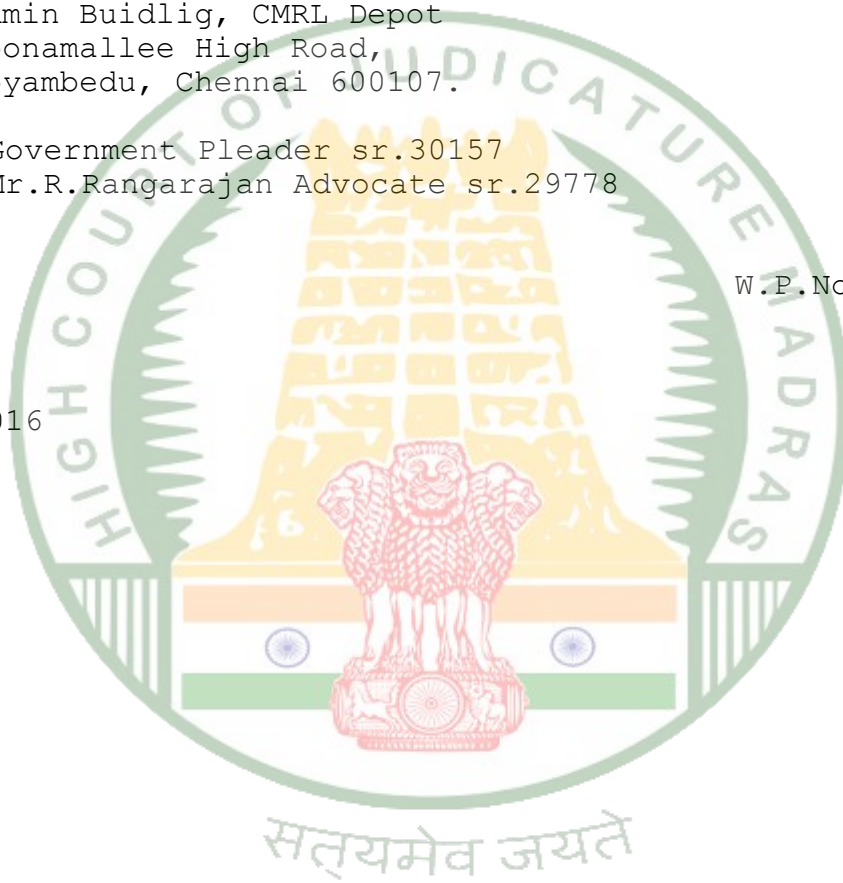
3 Chennai Metro Rail Limited
Admin Buidlig, CMRL Depot
Poonamallee High Road,
Koyambedu, Chennai 600107.

+1 cc to Government Pleader sr.30157

+1 cc to Mr.R.Rangarajan Advocate sr.29778

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