

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P. NO. 3837 of 2016

V. T. Baskaran

.. Petitioner

-VS-

1. Chennai Metropolitan Development Authority
Rep. By its Member Secretary
No.1 Gandhi Irwin Road
Egmore, Chennai - 8.
 2. The Chief Executive Officer
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road
Egmore, Chennai - 8.
- ... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the representation dated 16.07.2015 for reallocation of equivalent plot in Edayanchavadi Village in and around Manali New Town to the petitioner, expeditiously and in accordance with law.

For petitioner : Mr. D. S. Rajasekaran

For respondents : Mr. M. Karthikeyan

सत्यमेव जयते
O R D E R

Heard Mr. D.S. Rajasekaran, learned counsel for the petitioner and Mr. M. Karthikeyan, learned counsel for the respondents. With the consent of both parties, the writ petition is disposed of, at the stage of admission itself.

2. The petitioner has filed this Writ Petition to direct the respondents to consider his representation dated 16.07.2015. In the said representation, the petitioner has pointed out that the Chennai Metropolitan Development Authority has executed a sale deed dated 09.04.2007, registered as Document No.4089/2007 on the file of the Sub Registrar Office, Thiruvottiyur, conveying an extent of 2 grounds and 156 sq.ft.,

bearing Plot No. 7 comprised in Survey No.309/ part Edayanchavadi Village, Manali New Town, Ponneri Taluk, Tiruvallur District. The petitioner would state that the said land was taken over for the road project. Therefore, the petitioner requested for allotment of another plot or for compensation and when he made a request, the Special Tahsildar, sent a reply vide proceedings dated 09.07.2015, stating that the lands in Survey No.309 and its sub divisions are only 'grama natham' and the petitioner is not entitled to compensation. With the above facts, the petitioner has submitted a representation.

3. Learned counsel for the respondents submitted that reasonable time may be granted for the respondents to consider the representation of the petitioner.

4. In the light of the above, there will be a direction to the respondents to consider the representation of the petitioner on merits, in accordance with law, ascertaining the details from the Special Tahsildar (Land Acquisition), Tiruvottiyur, Ponneri Panjetti Road Project, Ponneri and pass reasoned orders, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

avr

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Member - Secretary,
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road, Egmore, Chennai - 8.
2. The Chief Executive Officer
Chennai Metropolitan Development Authority
No.1 Gandhi Irwin Road, Egmore, Chennai - 8.

+ 1 cc to Mr.D.S.Rajasekaran Advocate SR 6498

ksj (co)
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