

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition No.5817 of 2017

Balaji Singh

... Petitioner

Vs.

1 The Government of Tamil Nadu,
Represented by its Secretary,
Highways and Minor Ports Department,
Secretariat, Fort St. George.

2. The Special District Revenue Officer,
(Land Acquisition),
National Highways Scheme,
Kancheepuram & Tiruvallur District,
Kancheepuram.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, to direct the respondents to pay the compensation for the remaining extent of 75 sq.mt, in property bearing Old Survey Numbers 178/2F, Ward-E, Block-11, Irumbuliur Village, Tambaram Taluk, to the petitioner.

For Petitioner : Mr. V. Raghavachari

For Respondents : Mr. S. Diwakar,
Special Government Pleader

ORDER

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2. The petitioner sought for compensation for an extent of land which has been left out with the extent of 75 sq.mt, in the property bearing Old Survey Numbers 178/2F, Ward-E, Block-11, Irumbuliur Village, Tambaram Taluk. In the counter affidavit filed by the second respondent, it has been stated as follows:-

" I further submit that the land owner has been enquired on 14.7.2016. The records produced by him were verified. A detailed report was sent to Government vide this officer's letter Rc.177/2007/NH 45 dated 20.7.2016 for allotment of funds to the omitted extent of 75 sq.mts. The petitioner was also informed of the action taken vide this office endorsement even number dated 22.7.2016. The funds required for payment to the petitioner is as follows :

Extent to be acquired	Rate per Sq.mtr in Rs.	Land Value	10% appreciation	Structure Valuation	Total compensation to be paid
75 Sq.mtrs	47424	3556800	355680	Nil	3912480

(Rupees Thirty Nine Lakhs Twelve Thousand Four Hundred and Eighty only)

The Government in their letter no.10029/HW2/2016-1 dated 30.8.2016 called for some further particulars which were sent on 6.10.2016. The Government in their letter dated 9.1.2017 has further called for some additional particulars for which a report has been sent on 22.3.2017. The orders of the Government are awaited. On receipt of funds from Government compensation will be paid to the petitioner."

3. Thus, from the above, it is clear that the issue is pending consideration with the first respondent for quite some time. Accordingly, the writ petition stands disposed of by directing the first respondent to pass appropriate orders pursuant to the office letter of the second respondent in Roc.177/2007/NH 45, dated 20.03.2017 followed by the report dated 22.03.2017, within a period of eight weeks from the date of receipt of the copy of the order. After receipt of the same, the second respondent will have to do the needful within a further period of four weeks.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pbn/ms

To

- 1 The Secretary,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Secretariat, Fort St. George.
2. The Special District Revenue Officer,
(Land Acquisition),
National Highways Scheme,
Kancheepuram & Tiruvallur District,
Kancheepuram.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.40346
+1cc to the Government Pleader, S.R.No.40369

RS(15/06/2017)

W.P.No.5817 of 2017



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