

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P. NOS.14003 AND 14004 OF 2003

R.Loganathan

... Petitioner in
W.P.No.14003/2003

V.P.Raghavan

... Petitioner in
W.P.No.14004/2003

Vs.

1. The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2. The Collector,
Kancheepuram District,
Kancheepuram.

3. The Tahsildar,
Tambaram, Tambaram,
Chennai.

4. The Village Administrative Officer,
Vengai Vasal Village,
Tambaram Taluk,
Kancheepuram District.

Respondent Nos.1 to 4
in both WPs'

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent comprised in the order bearing Ref.Nos.T1/17579/02 and T1/17610/2002 respectively, dated 10.02.2003 and quash the same and consequently direct the first Respondent to conduct a denovo enquiry in Revision against the Order dated 10.05.2002 passed by the second respondent in R.C.No.12748/2002/N1 and pass necessary orders after affording an opportunity of hearing the petitioner.

For Petitioner : Mr.R.Parthasarathy
(in both WPs')

For Respondents : Mr.T.M.Pappiah,
(in both WPs') Special Govt. Pleader

COMMON ORDER

The petitioners have challenged the orders of the first respondent / Special Commissioner cum Commissioner of Land Administration, dated 10.02.2003, on the ground that they have derived title to the land by Prescription and they are entitled to compensation or alternate land, in case, the Government decides to acquire the land. Whereas, the revision petitions filed by the petitioners were dismissed by the first respondent, on the ground that there were encroachers and during the renovation project, all the encroachments were removed. The petitioners were also removed.

2. The Learned counsel for the petitioners would submit that in the cases of all other encroachers, they were given either compensation or alternative land (sites). He would also submit that the petitioners' cases may be considered similar to the other beneficiaries.

3. Mr.T.M.Pappiah, the Learned Special Government Pleader would submit that if the petitioners make representation claiming either compensation or alternative sites, it will be considered by the respondents as per rules and in accordance with the law. The question of relief granted to other beneficiaries will also be taken into consideration, while disposing of the representation to be made by the petitioners.

4. Recording the submissions of both the parties, a direction is issued direction to the petitioners, to submit representation afresh, setting out all the details. On receipt of such representation, being made by the petitioners, the respondents are directed to consider the same on merits, with respect to compensation or alternate allotment as claimed by the petitioner, within a period of twelve (12) weeks thereafter.

5. These writ petitions are disposed of accordingly.
No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

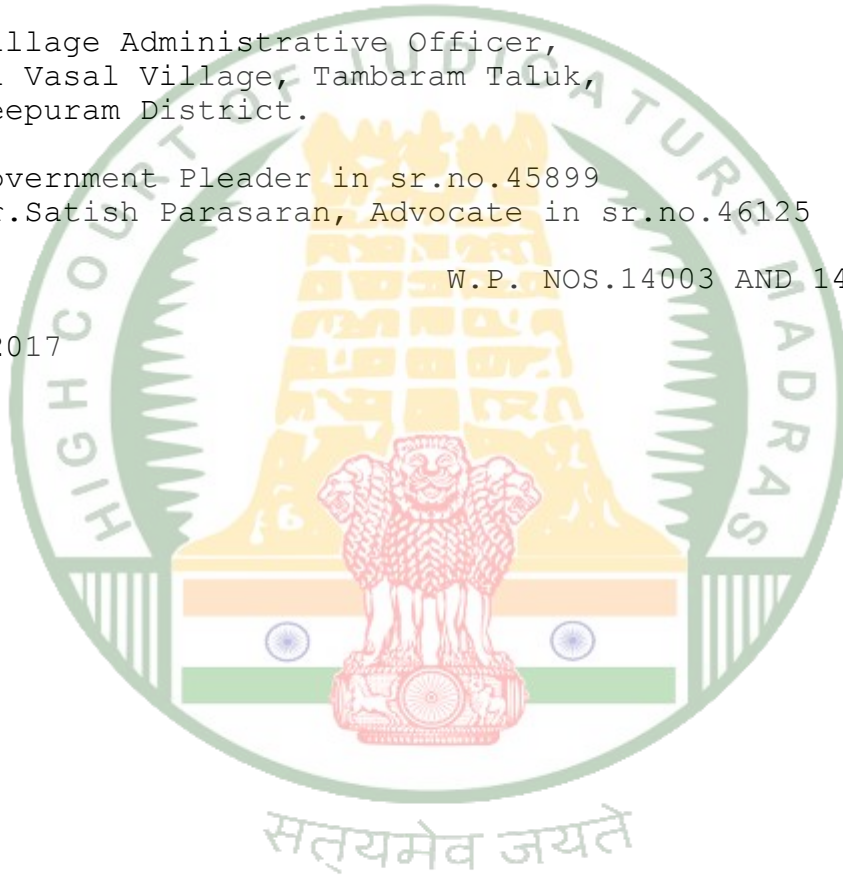
1. The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
2. The Collector,
Kancheepuram District, Kancheepuram.
3. The Tahsildar,
Tambaram, Tambaram, Chennai.
4. The Village Administrative Officer,
Vengai Vasal Village, Tambaram Taluk,
Kancheepuram District.

+1cc to Government Pleader in sr.no.45899

+1cc to Mr.Satish Parasaran, Advocate in sr.no.46125

W.P. NOS.14003 AND 14004 OF 2003

NR 13/07/2017



WEB COPY