

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.07.2018
CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.10197 of 2018

T.Bakthavachalam Rao @ T.B.Rao

... Petitioner

Vs.

1.The Principal Secretary to Government,
State Highways & Minor Ports Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

2.The Principal Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

3.The Chief Engineer (Construction and Maintenance),
State Highways & Minor Ports Department,
Government of Tamil Nadu,
Ezhilagam, Chennai - 600 005.

4.The District Collector,
Tiruvallur District,
Tiruvallur - 601 204.

5.The District Revenue Officer,
Tiruvallur District,
Tiruvallur - 601 204.

6.The Divisional Engineer (State Highways),
Thiruvallur Division,
Thiruvallur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to immediately determine compensation payable to the petitioner in respect of the aforementioned acquired lands admeasuring 2420 square meters or thereabouts comprised in Old Survey Nos.291 Part, 292/1A Part, 295 (part), 296/3B, New Survey Nos.291/2, 295/2 & 296/3B2, all situated at Pandikavanoor Village, Ponneri

Taluk, Thiruvallur District in accordance with Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 or under any other equivalent or appropriate Act and pay the petitioner due compensation in tune with market value with solatium, interest, betterment charges etc.,

For Petitioner : Mr.N.R.Anatha Rama Krishnan

For Respondent : Mr.D.Raja,
Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner and learned Additional Government Pleader for the respondents and perused the materials available on record.

2. According to the petitioner, he is a senior citizen, aged about 80 years, his land measuring 2420 square meters comprised in Old Survey Nos.291 Part, 292/1A Part, 295 part, 296/3B and New Survey Nos.291/2, 295/2 & 296/3B2 situated at Pandikavanoor Village, Ponneri Taluk, Thiruvallur District was acquired by the respondents in the year 2011, by issuance of G.O.Ms.No.218, Highways and Minor Ports (HW2) Department, dated 31.12.2013.

3. The grievance of the petitioner is that though the acquisition proceedings were initiated in the year 2011, so far compensation has not been determined and paid to him.

4. In the counter filed by the respondents, it has been stated that the award enquiry was conducted on 28.09.2017 and the compensation would be fixed as per G.O.Ms.No.27, Highways and Minor Ports (HF-1), Department, dated 05.03.2018. The work has already been commenced and it is in progress, and it will take minimum 3 months time for final settlement of payment.

5.The learned Additional Government Pleader on instructions from the concerned department submitted that the entire compensation amount would be disbursed to the petitioner within a period of three months.

6. In the light of the counter filed by the respondents and the submission of the learned Additional Government Pleader, the respondents shall pay the entire compensation to the petitioner within a period of three months from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
State Highways & Minor Ports Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 2.The Principal Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
- 3.The Chief Engineer (Construction and Maintenance),
State Highways & Minor Ports Department,
Government of Tamil Nadu,
Ezhilagam, Chennai - 600 005.
- 4.The District Collector,
Tiruvallur District,
Tiruvallur - 601 204.
- 5.The District Revenue Officer,
Tiruvallur District,
Tiruvallur - 601 204.
- 6.The Divisional Engineer (State Highways),
Thiruvallur Division,
Thiruvallur.

+2cc to Mr.N.R.Anatha Rama Krishnan, Advocate, S.R.No.45639

+1cc to the Government Pleader, S.R.No.45781

W.P.No.10197 of 2018

RSK(CO)
GSP(31/07/2018)