

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.01.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No. 28547 of 2017  
and  
W.M.P.No. 30680 of 2017

T. Ashok Raj

...Petitioner

Versus

1. The State of Tamil Nadu,  
represented by its Secretary to Government,  
Highways Department,  
Fort St.George, Chennai - 600 009.
2. The District Collector,  
Officer of the the Collectorate,  
Kanchipuram - 631 001.
3. The Special Tahsildar (L.A)  
Orakadam Industrial Park Road,  
Infrastructure Scheme,  
Ramanuja Nagar, Near Bus Stand,  
Sriperumbudur - 602 105.
4. The Managing Director,  
SIPCOT, Door No.19A,  
Rukmani Lakshmipathy Salai,  
Egmore, Chennai - 600 008.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent to send the reference of the Award No.1 of 2014 dated 15.12.2014, as requested by the petitioner by his letter dated 10.02.2015 to the civil court for adjudication regarding enhancement of the compensation, under Section 20 of the Tamil Nadu Highways Act, 2001 (Amended Act 34 of 2002), in respect of the petitioner's land acquired in Survey No.180/9 measuring an extent of 250 Sq.mts situated in Vadakal B Village, Sriperumbudur Taluk and Kanchipuram District.

For Petitioner : Mr. S. Muthukumar

For Respondents : Mr. Akhil Akbar Ali,  
1 to 3 Government Advocate

O R D E R

The learned counsel for the petitioner submitted that the petitioner's land was acquired under the Provisions of State Highways Act, 2001 and sought a writ of mandamus directing the third respondent to refer the matter to the concerned Civil Court under Section 20(1) of the Act.

2. The counter affidavit indicates that the award passed is only an interim award, and the final award is yet to be passed. The learned counsel further submitted that the petitioner is willing to participate in the enquiry leading to the passing of the final award.

3. Since, the final award has not yet been passed, petitioner's right to seek a reference is still available to him and it can be even said that this stage it is even premature. If the petitioner feels aggrieved by the compensation awarded after the passing of the final award, he may resort to such legal remedies as are available to him to seek enhancement of compensation thereafter.

4. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-  
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

mrr

To

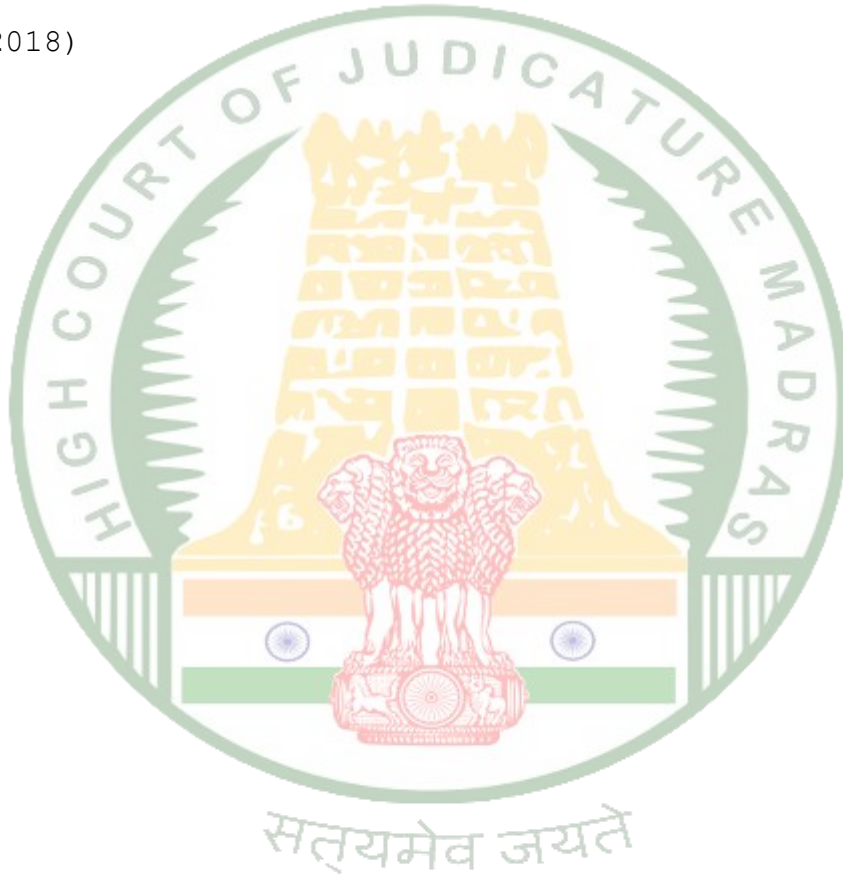
- सत्यमेव जयते
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+1 CC to Mr.S. Muthukumar, Advocate sr 527.  
+1 CC to The Govt. Pleader sr 3661.

W.P.No.28547 of 2017

NMI (CO)  
SP(08/02/2018)



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