

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 24131 of 2018

Uma Balasubramanian

... Petitioner

Vs

1. State of Tamil Nadu,
rep. by the Principal Secretary
and Commissioner of Land
Administration,
Chepauk, Chennai-600 005.
2. The Collector of Chennai,
Chennai District,
Chennai.
3. The Special Dy. District Collector,
(Land Acquisition),
TNUDP-3, No.15, M.G.Road,
Poonamallee,
Chennai-600 056.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to refer the case pertaining to Na.Ka.No.1146/2010/E1, dated 14.08.2013 to the Civil Court in terms of Sec.20 of the Tamil Nadu Highways Act, 2001 within a time to be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.D.Raja,
Addl. Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction directing the 3rd respondent to refer the award passed in favour of the petitioner under Sec.20, of the Tamil Nadu Highways Act, 2001 (hereinafter called as 'Act').

2. The grievance of the petitioner is that the petitioner's lands are acquired by the respondents under the Tamil Nadu Highways Act, 2001, and an award was also passed on 14.08.2013, fixing the compensation at the rate of Rs.4,220/- per sq.ft. Not being satisfied with the award, the petitioner has made a representation to the 3rd respondent on 18.10.2013 itself, seeking to refer the award under Sec.20, of the Act. Even though that representation was pending with the respondent from the year 2013, so far, no order has been passed. Hence, the petitioner has filed the present Writ Petition.

3. Considering the limited prayer sought in the Writ Petition, without going to the merits of the case, the 3rd respondent is directed to consider the petitioner's representation and pass suitable orders on merits and in accordance with law within a period of six weeks from the date of receipt of the copy of this order.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Principal Secretary
and Commissioner of Land
Administration,
State of Tamil Nadu,
Chepauk, Chennai-600 005.

2. The Collector of Chennai,
Chennai District, Chennai.

3. The Special Dy. District Collector,
(Land Acquisition),
TNUDP-3, No.15, M.G.Road,
Poonamallee, Chennai-600 056.

+1 cc to Mr.S.Kingston Jerold, Advocate Sr.No.67708

+1 cc to The Government Pleader, Sr.No.68171

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NMI (CO)

CSL/07.12.2018