

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2018

C O R A M

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition Nos.24288 & 24289 of 2018

K.Ramachandran ... Petitioner in W.P.No.24288 of 2018

K.Amarnath ... Petitioner in W.P.No.24289 of 2018

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 Deputy District Collector,
(Land Acquisition)
TNUDP-3,
No.15, M.G.Road,
Poonamalee,
Chennai-600 056. ... Respondents in both the WPs

Prayer in W.P.Nos.24288 & 24289 of 2018: Writ Petitions are filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the third respondent to refer the case pertaining to Na.Ka.No.1146/2010/E1 dated 14.08.2013 to the Civil Court in terms of Section 20 of the Tamil Nadu Highways Act, 2001 within a time to be fixed by this Hon'ble Court.

For Petitioners : Mr.S.Kingston Jerold

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

C O M M O N O R D E R

The Writ Petitions have been filed seeking direction to the 3rd respondent to refer the award amount passed for the petitioners' under Section 20, of the Tamil Nadu Highways Act, 2001 (hereinafter referred to as 'the Act').

2. The grievance of the petitioners are that earlier the 3rd respondent acquired the petitioners land under the Act, and an award has also been passed on 19.10.2012, fixing the compensation at Rs.4,220/- per square feet. Not being satisfied with the compensation the petitioners submitted their application before the 3rd respondent on 18.10.2013, to refer the compensation award amount under the Act. Since, the applications were not considered by the 3rd respondent the present applications have been filed.

3. Earlier, Notice was ordered to the respondents. Today Mr.D.Raja, the learned Counsel appearing for the respondents on instruction submitted that the applications have been filed in time. Hence, the 3rd respondent is directed to refer the petitioners' award as per Section 20 of the Act, within a period of six weeks from the date of receipt of the copy of this order.

4. With the above direction, the Writ Petitions are disposed of. No Costs.

Sd/-
Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

msvm

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 Deputy District Collector,
(Land Acquisition)
TNUDP-3,
No.15, M.G.Road,
Poonamalee,
Chennai-600 056.

+2cc to Mr.S.Kingston Jerold, Advocate SR.No.68672, 68673

+1cc to Government Pleader SR.No.69686

W.P.Nos.24288 & 24289 of 2018

RSI (CO)

GMV (28/11/2018)



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