

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.15441 of 2018

1. Meenakshi
2. Narmatha
3. Senthil Kumar

..Petitioners

Vs

The District Collector,
Kancheepuram,
Kancheepuram District.

..Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the respondent herein or such other authority constituted under sec.51 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to pass order on the petitioner's application dated 15.06.2017 filed under sec.64 of the Act enhancing the compensation on the grounds raised therein.

For Petitioners : Mrs.Vijayakumari Natarajan
For Respondent : Mr.Akhil Akbar Ali
Government Advocate

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice on behalf of the respondent. By consent of both parties, this writ petition is taken up for final hearing.

2. According to the petitioners the land in Town Survey No.553/5A, measuring an extent of 11 $\frac{3}{4}$ cents in Melamaiyur Village in Chengalpattu was originally owned by the husband of the first petitioner and the father of the petitioners 2 and 3 namely Mr.Alagesan. The respondent by invoking the provisions of the Tamil Nadu Highways Act had acquired 358 square meters and passed an interim award at the rate of Rs.1351/- per sq.ft.

3. The petitioners would further state that in respect of the neighbouring land owners the Civil Court has fixed

compensation at Rs.5,500/- per sq ft. Hence, the petitioners sent a representation to the respondent on 15.06.2017, seeking reference under section 64 of the Act. Since no favourable order was passed, the present writ petition.

4. The learned Counsel for the petitioners submitted that the petitioners would be satisfied, if a suitable direction given to the respondent to pass appropriate orders on the representation of the petitioners.

5. The learned Government Advocate submitted that the respondent is ready to consider the representation of the petitioners in accordance with law.

6. In the light of the above submissions and also considering the facts of the case, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioners dated 15.06.2018 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

msrm

To

The District Collector,
Kancheepuram,
Kancheepuram District.

+1 CC to Mr.S. Natarajan, Advocate sr 40483.
+1 CC to Govt. Pleader sr 41374.

W.P.No.15441 of 2018

SP(17/07/2018)