

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.27397 of 2018

Tmt.Umamaheswari

... Petitioner

Vs.

1.Government of Tamil Nadu
rep. by its Secretary to Government,
Highways Department,
Secretariat, Chennai-600 009.

2.The Principal Director,
Highways Department,
Chennai.

3.The Divisional Engineer,
Highways Department,
Chengalpattu Division,
Kancheepuram District.

4.The Assistant Divisional Engineer,
Highways Department,
Tambaram, Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representation dated 23.08.2018 of the petitioner, regarding payment of compensation for acquiring the petitioner's land property measuring an extent of 0.39 cent (17004 sq.ft., approximately) in S.No.308/2A and 308/2A, 1A in Padur Village, Chengalaputt Taluk, Kancheepuram District.

For Petitioner : Mr.G.Punniakoti

For respondents : Mr.M.Elumalai, GA

ORDER

This writ petition has been filed by the petitioner seeking to direct the respondents to consider the representation of the petitioner dated 23.08.2018 seeking disbursement of compensation for the land acquired by the Government.

2.According to the petitioner, she purchased a house site in S.No.308/2A and 308/2A, 1A in Padur Village, Chengalpattu Taluk,

Kancheepuram District, vide sale deed dated 29.04.2011 registered as Doc.No.3983/2011 on the file of the Sub-Registrar Office, Tirporur. The petitioner has been in possession and enjoyment of the same. While so, all of a sudden, the respondents are taking steps to lay road over the said property. Hence, the petitioner made a representation to the authorities seeking for compensation. Since the petitioner's representation was not considered, the present writ petition has been filed by the petitioner.

3.Earlier, notice was ordered to the respondents. Mr.M.Elumalai, learned Government Advocate, on instruction from the Supeical Tahsildar, (Land Acquisition), IT Corridor, Tambaram, submitted that already land acquisition proceedings have been initiated and they are forming six lane road over the said property and award was also passed. After the issuance of notice under Section 15(2) of the Tamil Nadu Highways Act, nobody came forward to claim compensation by establishing the title, hence the compensation amount was not disbursed. It is further submitted by the learned Government Advocate that if the petitioner approaches the Special Tahsildar (LA), Tambaram and produces the documents establishing the title over the property, it will be considered by the Tahsildar.

4.Considering the submission made by the learned Government Advocate, the petitioner is directed to approach the Special Tahsildar (LA), Tambaram and to produce all the relevant documents establishing title over the property. On such production of documents by the petitioner, the authority concerned is directed to consider the claim of the petitioner and to pass appropriate orders with regard to disbursement of compensation, as early as possible.

With the above terms, the writ petition is disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

ssv

To

1.The Secretary to Government,
Government of Tamil Nadu
Highways Department,
Secretariat, Chennai-600 009.

2.The Principal Director,
Highways Department,
Chennai.

3.The Divisional Engineer,
Highways Department,
Chengalpattu Division,
Kancheepuram District.

4.The Assistant Divisional Engineer,
Highways Department,
Tambaram, Kancheepuram District.

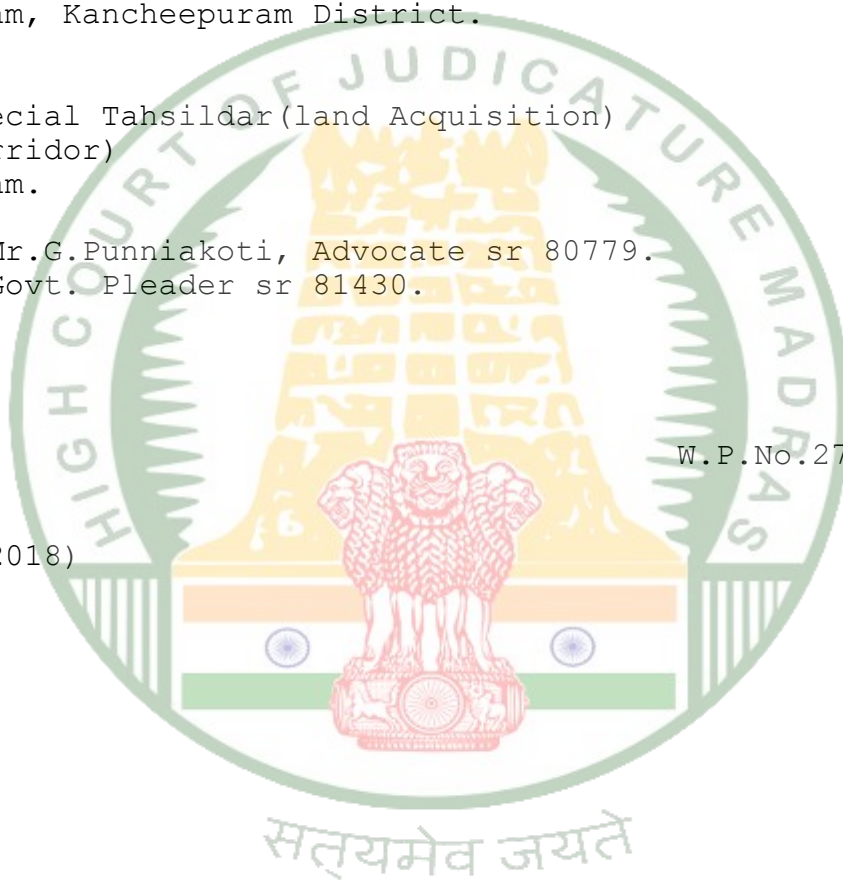
5. The Special Tahsildar (land Acquisition)
(IT Corridor)
Tambaram.

+1 CC to Mr.G.Punniakoti, Advocate sr 80779.

+1 CC to Govt. Pleader sr 81430.

SP(06/12/2018)

W.P.No.27397 of 2018



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