



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01..11..2018
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WEB COPY

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.28130 of 2018

N.K.Ramanathan

... Petitioner

-Versus-

1.The Revenue Divisional Officer,
and Land Acquisition Officer,
Egmore Revenue Division,
Chennai 600 031.

2.Chennai Metro Rail Limited,
Rep. its Managing Director,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai 600107.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to consider and properly dispose of the petitioner's objection dated 27.08.2018 within the stipulated time to be fixed by this court.

For Petitioner	: Mr.A.Suresh
For Respondents	: Mr.M.Elumalai, Government Advocate for R1
	Mr.Jayesh B.Dolia, Standing Counsel for R2

ORDER

This writ petition has been filed seeking a direction to the 1st respondent in the form of Writ of Mandamus for considering the objection submitted by the petitioner dated 27.08.2018.

2. According to the petitioner, he is the owner of the land and building situated at No.111, Nungambakkam High Road, Nungambakkam, Chennai 600034 and he was given to understand that



a portion of his land was sought to be acquired for Chennai Metro Rail Project and he submitted his representation objecting to the acquisition of his land. But, no notice was served upon him in this regard. He had no occasion to see the publication made by the respondents regarding land acquisition as at the relevant point of time, he had to make preparation to travel abroad on the very next day of the alleged publication. Therefore, he could not file his objection within the time. Further, according to the petitioner, immediately after he returned to India, he submitted his objection on 27.08.2018. The objection submitted by him to the 1st respondent has not so far been considered is the grievance of the petitioner.

3. Earlier notice was ordered. Mr.M.Elumalai, learned Government Advocate who was present in court had taken notice for the 1st respondent and had sought for time to get instructions. Accordingly, the writ petition was adjourned to today.

4. Today, when the matter came up for hearing, the learned Government Advocate, on instructions, submitted that after having received the objection from the petitioner, the 1st respondent had addressed to the 2nd respondent calling for remarks on the objection of the petitioner and on receipt of such remarks from the 2nd respondent, the 1st respondent would dispose of the representation/objection of the petitioner on merits and in accordance with law. The learned Government Advocate further submitted that the 1st respondent requires twelve weeks time for the disposal of the representation/objection of the petitioner. The said statement is recorded.

5. In the result, this writ petition is disposed of recording the submission of the learned Government Advocate. The 2nd respondent is directed to submit his remarks to the 1st respondent as expeditiously as possible and on receipt of such remarks the 1st respondent is directed to give an opportunity of personal hearing to the petitioner and consider the objection of the petitioner dated 27.08.2018 on merits and pass appropriate orders in accordance with law within a period of twelve weeks thereafter. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kmk



To

1. The Revenue Divisional Officer,
and Land Acquisition Officer,
Egmore Revenue Division,
Chennai 600 031.

2. The Managing Director,
Chennai Metro Rail Limited,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai 600107.

+1cc to Mr.A.Suresh, Advocate, S.R.No. 75463
+1cc to Mr. Jagesh, Advocate, S.R.No. 76153
+1cc to the Government Pleader, S.R.No. 75876

W.P.No.28130 of 2018

GN(14/11/2018)