

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.02.2019
CORAM:
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P.No.4320 of 2019

Somasekara Reddy

.... Petitioner

Vs.

1. The Chief Secretary to Government,
Secretariat,
Fort St. George,
Chennai - 600 009.
(deleted from the array of parties vide order dated
15.02.2019)
2. The Additional Chief Secretary to Government,
Highways & Minor Ports Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
3. The Additional Chief Secretary /
Commissioner of Land Administration,
Ezhilagam, Chempauk,
Chennai - 600 005.
4. The District Collector,
Collectorate, Tiruvallur District,
Tiruvallur - 602 001.
5. The Revenue Divisional Officer / Sub-Collector,
Tiruttani Revenue Division,
Kasinathapuram,
Tiruttani - 630 209, सत्यमेव जयते
Tiruvallur District.
6. The Tahsildar,
Office of the Tahsildar, Pallipattu,
Tiruvallur District.
7. The Chief Engineer (H),
Highways Department,
Integrated Chief Engineer's Office,
HRS Campus, No.76, Sardar Patel Road,
Guindy,
Chennai - 600 025.

8. The Divisional Engineer (H),
Construction & Maintenance,
No.155/17, Jawaharlal Nehru Road,
Tiruvallur,
Tiruvallur District.
9. The Assistant Divisional Engineer (H),
Construction and Maintenance,
Pallipattu Sub Division,
Solingur Road,
Pallipattu,
Tiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, directing the respondents to pay Compensation along with other statutory benefits together with interest till the date of payment for the acquired lands in Survey Numbers 107/2A Part; 156/1B; 234/1B; 234/2B; 248/8B; 248/9B; 249/10A; 249/13A; 249/15A; 249/16A and 249/17A to an extent of 116 cents of Pallipattu Taluk of Tiruvallur District in the light of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (Central Act 30/2013), based on the petitioner's representation dated 05.07.2018 within a time.

For Petitioner : Mr.P.S. Kothandaraman

For Respondents : Mr.C.Thirumaran
Special Government Pleader

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. According to the petitioner he was the owner of the land at Veligaram village viz., Survey Numbers 107/2A Part; 156/1B; 234/1B; 234/2B; 248/8B; 248/9B; 249/10A; 249/13A; 249/15A; 249/16A and 249/17A to an extent of 116 cents of Pallipattu Taluk. During the year 1994, the Government acquired the aforesaid land for laying approach road to Sankakuppam via Veliagaram and Pallipattu - Solinghur and no compensation has been paid to him. Thereafter, he has submitted representation dated 05.07.2018, to the respondents seeking compensation, but the same was not considered. Hence, the petitioner has filed the present writ petition seeking appropriate relief.

3. The learned counsel for the petitioner, who would submit that the name of the 1st respondent may be deleted from the array of parties. Accordingly, he has made endorsement to that effect.

4. The learned counsel further submitted that the 3rd respondent has sent a communication dated 24.08.2018, to the 4th respondent to forward suitable reply to the representation of the petitioner. Despite the aforesaid communication, the 4th respondent has not chosen to pass orders. Hence, it would suffice, that the 4th respondent is directed to consider the representation of the petitioner within a time frame to be fixed by this Court.

5. Mr.C. Thirumaran, learned Special Government Pleader taking notice for the respondents has no objection in granting such relief to the petitioner.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court without going into the merits of the matter, directs the 4th respondent / District Collector to consider the representation of the petitioner dated 05.07.2018, on merits and in accordance with law, and pass appropriate orders, after giving an opportunity of personal hearing to the petitioner, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observations, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Additional Chief Secretary to Government,
Highways & Minor Ports Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

2. The Additional Chief Secretary /
Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
3. The District Collector,
Collectorate, Tiruvallur District,
Tiruvallur - 602 001.
4. The Revenue Divisional Officer / Sub-Collector,
Tiruttani Revenue Division,
Kasinathapuram,
Tiruttani - 630 209,
Tiruvallur District.
5. The Tahsildar,
Office of the Tahsildar, Pallipattu,
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8. The Assistant Divisional Engineer (H),
Construction and Maintenance,
Pallipattu Sub Division,
Solingur Road,
Pallipattu,
Tiruvallur District.

+lcc to Mr.P.S. Kothandaraman, Advocate sr.no.13932

+lcc to Government Pleader sr.no.14633

W.P.No.4320 of 2019

sr(co)

nr 21/03/2019