

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.6273 of 2019 &
W.M.P.No.7110 of 2019

S.Saliaja

... Petitioner

Vs.

1.The Member Secretary,
Chennai Metropolitan Development Authority
(CMDA),
Gandhi Irwin Salai,
Egmore,
Chennai - 600 008.

2.The District Revenue Officer, (DRO), (L.A.),
Outer Ring Road Project,
CMDA, Koyambedu,
Chennai - 600 092.

3.The Special Tahsildar, (L.A.) Unit-IV,
Outer Ring Road Project,
CMDA,
Koyambedu,
Chennai - 600 092.

4.Kala Prapoorna

... Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 20.11.2018 and legal notice dated 28.11.2018 and direct respondents 1 to 3 to pay to the petitioner her 1/3 rd share in the Additional Compensation Award Amount for the lands Standing in the names of Jayarama Reddy and Nagarathinam comprised in Survey Nos. 125/3 (125/3B) 126/1A, 127/1B, 127/5, 127/6 (127/6B) totally measuring 0.71.0 Hectares situated at Ramareddypalayam, Minjur, Ponneri Taluk, Thiruvallur District, acquired by respondents 1 to 3 for the purpose of Outer Ring Road Project.

For Petitioner : Mr.N.R.Anantha Rama Krishnan
For Respondents : Ms.P.Veena Suresh (CMDA) for R1
Mr.M.Elumalai
Government Advocate for R2 & R3

O R D E R

Ms.P.Veena Suresh, learned Standing Counsel takes notice for the first respondent and Mr.M.Elumalai, learned Government Advocate, takes notice for the respondents 2 and 3. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed this Writ Petition seeking direction to the respondents 1 to 3 to consider her representation dated 20.11.2018 and legal notice dated 28.11.2018 and direct respondents 1 to 3 to pay her 1/3rd share in the Additional Compensation Award Amount for the lands standing in the names of Jayarama Reddy and Nagarathinam comprised in Survey Nos. 125/3 (125/3B) 126/1A, 127/1B, 127/5, 127/6 (127/6B) totally measuring 0.71.0 Hectares situated at Ramareddypalayam, Minjur, Ponneri Taluk, Thiruvallur District, acquired by respondents 1 to 3 for the purpose of Outer Ring Road Project.

3. According to the petitioner, she is a daughter of E.Jayaram Reddy and Nagarathinam and therefore, she is entitled to get 1/3rd share in the Additional Compensation Award Amount for the lands standing in the names of Jayarama Reddy and Nagarathinam comprised in Survey Nos. 125/3 (125/3B) 126/1A, 127/1B, 127/5, 127/6 (127/6B) totally measuring 0.71.0 Hectares situated at Ramareddypalayam, Minjur, Ponneri Taluk, Thiruvallur District.

4. The learned Standing Counsel and Government Advocate appearing for the respondents would submit that if no award is passed and no amount has been withdrawn by any of the parties, the petitioner's representation will be considered on merits and in accordance with law.

5. In the light of the submissions and also considering the limited scope of prayer sought for in this writ petition, this Court, without going into merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 28.11.2018, on merits and in accordance with law, after providing an opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order, subject to no Award has been passed and no

amount has been withdrawn by any of the parties concerned.

6. With the above direction, this Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Member Secretary,
Chennai Metropolitan Development Authority
(CMDA), Gandhi Irwin Salai,
Egmore, Chennai - 600 008.

2.The District Revenue Officer, (DRO), (L.A.),
Outer Ring Road Project,
CMDA, Koyambedu,
Chennai - 600 092.

3.The Special Tahsildar, (L.A.) Unit-IV,
Outer Ring Road Project,
CMDA, Koyambedu,
Chennai - 600 092.

+1cc to Mr.N.R.Anantharamakrishnan, Advocate, S.R.No.20842

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VSNIIC(CO)

rrs 08/03/2019

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