

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 30539 of 2018

1. T.Rubi
2. S.Thangappan ... Petitioners

Versus

1. The Special Tahsildar,
Land Acquisition,
Unit IV, Outer Ring Road Project,
Chennai Metropolitan and
Development Authority,
Koyambedu Wholesale Market
Complex, Koyambedu,
Chennai-600 107.
2. The Member Secretary,
Chennai Metropolitan Development
Authority (CMDA),
Egmore,
Chennai-600 008.
3. The District Revenue Officer/
Chief Administrative Officer,
(Chennai Outer Ring Road, CMDA),
Koyambedu Wholesale Market Complex,
Koyambedu, Chennai-600 107.
4. The Collector,
Tiruvallur Collector Office,
Thiruvallur District,
Thiruvallur-602 001.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay compensation for the plots belonging to the petitioners bearing Plot No.57 and 58, Tata Nagar Layout situated in Outer Ring Road and comprised in S.No.16/1 and 3 (part) of Vijayanallur Village, Ponneri Taluk, Chengalpet District measuring 3600 sq.ft. acquired by the respondents for the purpose of formation of Outer Ring Road under Outer Ring Road project in Vijayanallur Village in

accordance with law or in the alternative provide an alternative site.

For Petitioner : Mr.R.Manickavel

For Respondents : Mr. C.Thirumaran,
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to pay compensation for the lands acquired by the respondents.

2. According to the petitioners, the petitioners' lands in Survey No.16/1 and 3 (part) of Vijayanallur Village, Ponneri Taluk, Chengalpet District have been acquired by the respondents for formation of outer ring road. Even though the acquisition proceedings were initiated in the year 2006, so far, no award has been passed, and the notice under Sec. 12(2) of the Tamil Nadu Land Acquisition Act (hereinafter called as 'Act') was also not served on the petitioners. Hence, the present Writ Petition has been filed by the petitioners.

3. Mr.C.Thirumaran, learned Special Government Pleader appearing for the respondents, on instructions, submitted that already the award has been passed on 18.04.2007, and the notices under Sec.12(2) of the Act were also sent to the petitioners through R.P.A.D., but the notices could not be served. Now, the entire amount is in the revenue deposit, and the petitioners can very well approach the 1st respondent, and produce necessary documents to establish their title and they can receive the compensation.

4. Considering the above submissions, as the award already has been passed, and the amount has been already kept in the revenue deposit, it is always open to the petitioner to approach the 1st respondent, and establish their title, and after establishing their title, the petitioners can receive the compensation. If the petitioners have any grievance over the same, it is always open to them to seek any reference in the manner known to law. In the result, the present Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

rpp

To

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Thiruvallur-602 001.

+1cc to Mr.R.Manichavel, Advocate SR.No.4633

+1cc to Government Pleader SR.No.4585

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SSI (CO)
GMY (27/02/2019)

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