

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.28101 of 2016
and W.M.P.No.24246 of 2016

B.Mythili

... Petitioner

Vs.

1. The District Collector,
Chennai District, Chennai.

2. The Land Acquisition Officer,
Chennai Metro Rail Limited,
O/o District Collector,
Chennai - 1.

3. Land Acquisition Officer,
Chennai Metro Rail Limited,
216, CMRL Depot (2nd Floor),
Koyambedu, Chennai - 17.

4. R.Baskaran

5. B.Lingaraj

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the respondents 2 & 3 to consider the petitioner's representation dated 11.07.2016 and consequently direct the 2nd respondent to include the petitioner's name in the list eligible for compensation for the property acquired in S.No.2556, Block 41, Old No.43, measuring 2609 sq.ft at Ramanujam Iyer Street, Old Washermenpet, Chennai - 21 along with 4th respondent.

For Petitioner : Dr.G.Krishnamurthy

For Respondents : Mr.M.Elumalai,

Additional Government Pleader (R1)

Mr.P.Raja (R4)

R2, R3 & R5 - no appearance

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents 2 & 3 to consider the petitioner's representation dated 11.07.2016 and consequently direct the 2nd respondent to include the petitioner's name in the

list eligible for compensation for the property acquired in S.No.2556, Block 41, Old No.43, measuring 2609 sq.ft at Ramanujam Iyer Street, Old Washermenpet, Chennai - 21 along with 4th respondent.

2.When the matter is taken up for hearing, it is brought to the notice of this Court that when the matter was referred to the National Lok Adalat, the Lok Adalat, by order dated 14.07.2018, recorded the submission made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the 1st respondent that the name of the petitioner is shown as joint owner and the petitioner may be directed to submit a fresh representation by enclosing her earlier representation dated 11.07.2016 and the same would be given disposal within four weeks from the date of receipt of the said representation. In the said order, the petitioner also undertook to send necessary communication to the respondents 2 & 3.

3.Dr.G.Krishnamurthy, learned counsel appearing for the petitioner submitted that the order dated 14.07.2018 passed in the National Lok Adalat may be passed in the present Writ Petition and the Writ Petition may be disposed of.

4.Mr.P.Raja, learned counsel appearing for the 4th respondent submitted that the petitioner has no right to claim a share in the 4th respondent's property.

5.However, considering the facts and circumstances of the case, I direct the petitioner to submit a fresh representation, by enclosing her earlier representation dated 11.07.2016, within a period of two weeks from the date of receipt of a copy of this order and the respondents 2 & 3 are directed to dispose of the same, on merits and in accordance with law, after giving an opportunity of hearing to all the interested parties, within a period of twelve weeks from the date of submission of the representation.

6.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

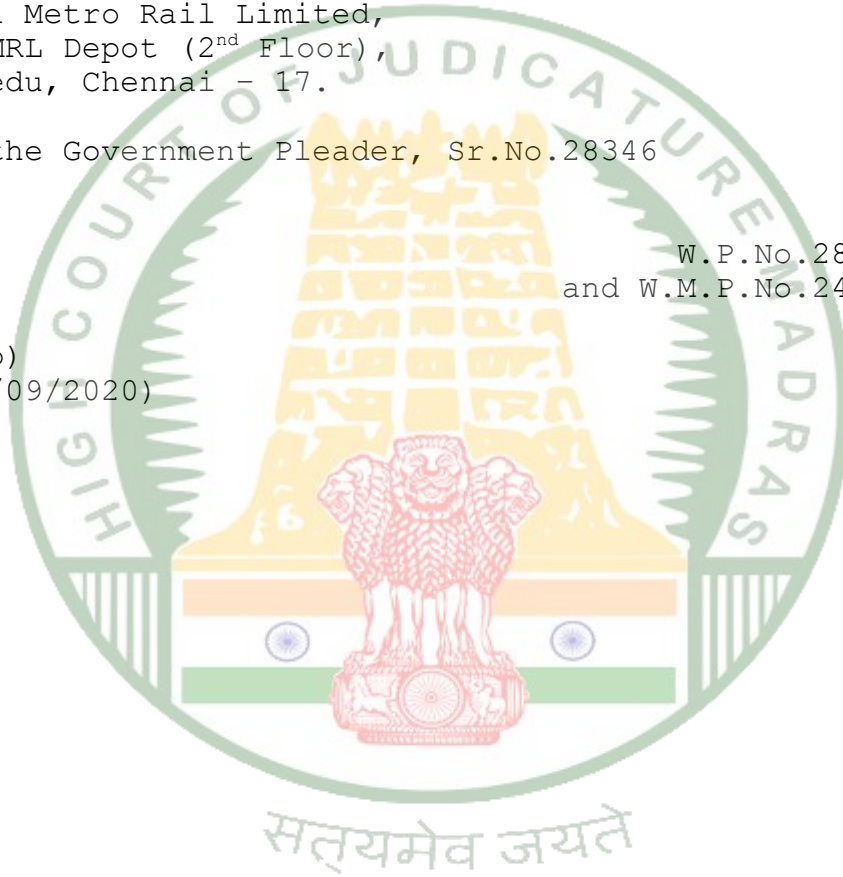
To

1. The District Collector,
Chennai District, Chennai.
2. The Land Acquisition Officer,
Chennai Metro Rail Limited,
O/o District Collector,
Chennai - 1.
3. Land Acquisition Officer,
Chennai Metro Rail Limited,
216, CMRL Depot (2nd Floor),
Koyambedu, Chennai - 17.

+1 cc to the Government Pleader, Sr.No.28346

W.P.No.28101 of 2016
and W.M.P.No.24246 of 2016

vsn ii (co)
rr ii (11/09/2020)



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