

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.10.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.15036 of 2020 &
WMP.No.18730 of 2020

C. Muthukannan

... Petitioner

Vs.

1. The Special Deputy Collector,
Land Acquisition,
Tamil Nadu Township Development
Scheme-III,
Alandur, Chennai 600 016.
2. The Divisional Engineer, (Highways),
Greater Chennai Development Scheme,
Division-I, Sub Division - I,
No.78, Real Diamond Building,
Guindy, Chennai 600 032.
3. The Assistant Divisional Engineer,
(High Ways), Greater Chennai
Development Scheme,
Division - I, Sub Division-I,
No.78, Real Diamond Building,
Guindy, Chennai 600 032.

.. Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus to call for the records of the respondents, particularly the 3rd respondent's impugned notice dated 29.09.2020 and quash the same and consequently direct the respondents to fix the fair compensation and to pay the entire compensation for the land and building property situated at No.1/38, Bharathi Nagar 1st Street, Palavakkam Village, Chennai -41, Patta No.1143, comprised in Survey Nos.79/2A1A (as per Patta S.No.79/2) to an extent of 1740 sq.ft. (1.5 ares) on the basis of the petitioner's representations dated 28.09.2020.

For Petitioner : Mr.R. Thanjan

For Respondents: Mr.V. Anandamurthy, AGP

O R D E R

This Writ Petition has been filed challenging the impugned notice issued by the 3rd respondent dated 29.09.2020, wherein, the petitioner has been directed to handover possession of the subject property on or before 7.10.2020 to the Highways Department.

2.The main grievance that has been expressed by the petitioner in the present case is that only a part of the compensation was given as an interim compensation and the final compensation is yet to be given to the petitioner. Even without giving this compensation, attempts are being made to take possession of the property.

3.Mr.V.Anandhamurthy, learned Addl. Govt. Pleader appearing on behalf of the respondents, based on the instructions received by him, submitted that the final compensation has been fixed in GO.Ms.126, Highways and Minor Ports (HW1) Department, dated 7.10.2020 and the same has already been approved by the Government and the compensation will be disbursed at earliest point of time.

4.Taking into consideration the facts and circumstances of the case and also recording the submissions made by the learned Addl. Govt. Pleader, there shall be a direction to the 1st respondent to disburse the entire compensation amount to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1.The Special Deputy Collector,
Land Acquisition,
Tamil Nadu Township Development
Scheme-III,
Alandur, Chennai 600 016.

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2.The Divisional Engineer, (Highways),
Greater Chennai Development Scheme,
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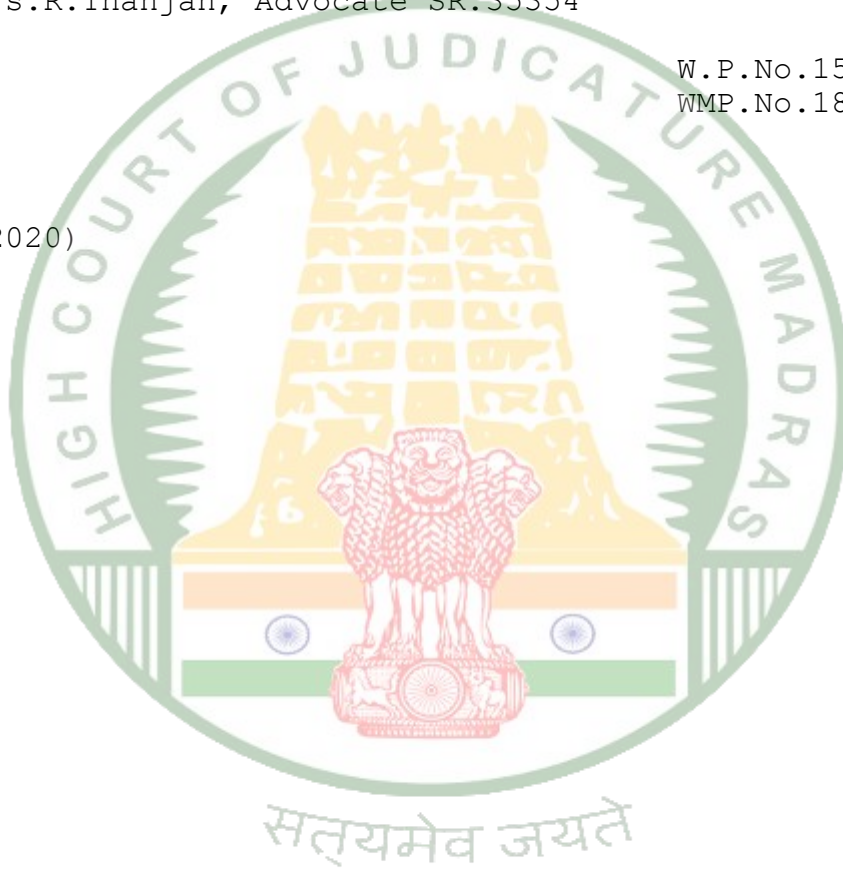
3.The Assistant Divisional Engineer,
(High Ways), Greater Chennai
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+1cc to M/s.R.Thanjan, Advocate SR.35354

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VSN II(CO)
CB(07/12/2020)



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