

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.1638 of 2021

1.L.Brindavathi
2.Gajalakshmi

...Petitioners

Vs

1.The Principal Secretary to
Government of Tamil Nadu
Highway and Minor Port (HW2) Department
Fort St.George
Chennai - 600 009.

2.The District Collector
Chengalpattu
Chengalpattu District.

3.The Special Tahsildar (Land Acquisition)
Inner Ring Road Scheme
Door No.101/A, GST Road
Chrompet
Chennai - 600 044.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent to pass an award/decision determining the amount due to be paid to the petitioners pursuant to the reference bearing No.5159/2020-11 dated 12.10.20218 by the first respondent in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in respect of the land measuring an extent of 88 sq.mtr. acquired by them from the petitionre in pursuance of the notification made in G.O.(D) No.209, Highways and Minor Ports (HW2) dated 06.09.2017 issued under Section 15(1) of Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 o 2002) published in Part II, Section 2, Tamil Nadu Government Gazette dated 27.09.2017.

For Petitioners : Mr.S.Vasudevan

For Respondents : Mr.V.Anandhamurthy
Additional Government Pleader [R1 to R3]

ORDER

The present petition is filed for issuing a direction to the second respondent, the District Collector, Chengalpattu, for determining the amount due to be paid to the petitioner and for passing an award in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Heard Mr.V.Anandamurthy, learned Additional Government Pleader for the respondents. He made a statement that the District Collector has already made available his report to the Land Acquisition Authority and an enquiry would be soon made. The said statement of the learned Additional Government Pleader is recorded.

3. The second respondent is now directed to pass an award, after holding enquiry under Section 19(5) of the Tamil Nadu Highways Act, 2001, within a period of six weeks from today.

4. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ds

To

1.The Principal Secretary to
Government of Tamil Nadu
Highway and Minor Port (HW2) Department
Fort St.George, Chennai - 600 009.

2.The District Collector
Chengalpattu
Chengalpattu District.

3.The Special Tahsildar (Land Acquisition)
Inner Ring Road Scheme
Door No.101/A, GST Road
Chrompet, Chennai - 600 044.

+1 cc to Mr.S.Vasudevan, Advocate, S.R.No.11465

+1 cc to the Government Pleader, S.R.No.11903

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GSM(CO)

KKV/01/03/2021