

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.3299 of 2021
&WMP.No.3753 of 2021

Vivekananda Royal Farms,
represented by its Managing Partner,
having its office at 22, Rajaram Mehta Nagar,
Aminjikarai, Chennai - 600029.

...Petitioner

-Vs-

1. The State of Tamil Nadu,
represented by its secretary,
Highways and Minor ports Department,
Secretariat, Fort St George,
Chennai - 600 009.
 2. The District Revenue Officer(Land Acquisition),
Chennai Outer Ring Road Project,
Chennai Metropolitan Development Authority,
Koyembedu, Chennai - 600 107.
 3. The Special Tahsildar (Land Acquisition),
Chennai Outer Ring Road Project, Phase - 1,
Nazarethpet, Chennai - 600 123.
- ...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, against the first respondent to award final compensation to the Petitioner for the acquired lands measuring 11467 square metres comprised in new survey numbers 18/3, 19/1A4A2, 19/2B, 19/7B, 19/8, 19/9 and 19/12 of Nazarethpet Village, Poonamalle Taluk, Tiruvallur District, by issuing Government Order like G.O.Ms.No.90, Highways and Minor ports (HF-2) department dated 23.07.2020, and consequently direct the Respondents 2 and 3 to refer the matter pertaining to determination of compensation for the acquired land of the petitioner, to the competent civil court under Section 20(1) of the Tamil Nadu Highways Act, 2001.

For Petitioner : Mr.M.Sudhakar

For Respondents: Mr.V.Anandhamurthy
Additional Government Pleader

ORDER

In this case, interim compensation has been paid. However, the final compensation was not paid, since there was some difficulty in understanding the ambit of Tamilnadu Highways Act, 2001. In this background, the petition has been filed for the reminder.

2.Mr.V.Anandhamurthy, learned Additional Government Pleader takes notice for the respondents and makes a statement on instructions that an enquiry is scheduled to take place on 15.03.2021 at 11.00 a.m at the office of the second respondent.

3.The learned counsel for the petitioner submits that for the adjacent land, a final Award has been passed and the Land Acquisition Authority/second respondent has to only copy paste the same method for passing a final award.

4.This Court now requires the petitioner to appear before the Land Acquisition Authority on the date scheduled for enquiry and canvass his case before him.

5.The Land Acquisition Authority/second respondent is directed to conduct an enquiry after issuing notice to all the parties who are likely to be affected by his decision, provide them a fair and effective hearing and pass a Final Award within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Tsg

To

1. The secretary,
Highways and Minor ports Department,
Secretariat, Fort St George,
Chennai - 600 009.

WEB COPY

2.The District Revenue Officer(Land Acquisition),
Chennai Outer Ring Road Project,
Chennai Metropolitan Development Authority,
Koyembedu, Chennai - 600 107.

3.The Special Tahsildar (Land Acquisition),
Chennai Outer Ring Road Project, Phase - 1,
Nazarethpet, Chennai - 600 123.

+4ccs to Mr.M.Sudhakar, Advocate, Sr.No. 9773
+1 cc to The Government Pleader Sr.No. 9941

W.P.No.3299 of 2021

SMI (CO)
RMP (23/03/2021)



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