



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.12730 of 2021

MAK Hotels and Resorts (P) Ltd.,
Rep. by its General Manager Finance,
Office at Sai Srivari Nagar,
Singaperumal Koil, GST Road,
Chengalpattu Taluk, Chengalpattu District.

..Petitioner

Vs.

1. The Land Acquisition Officer - cum -
District Collector, Kancheepuram,
Chengalpattu District.

2. The Divisional Engineer (Highways)
Projects Division - I,
No.110/A, GST Road, Chrompet,
Chennai.

3. The Special Tahsildhar (L.A),
I.R.R. Scheme, now having office at
110/A, G.S.T. Road,
Chrompet,
Chennai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents herein to refer Award No.9 of 2011, dated 25.08.2011 to the competent Civil Court pursuant to the petitioner's Counsel representation sent on 14.10.2011 to the respondents in respect of the petitioner's acquired land under Tamil Nadu Highways Act, 2001 situate at Singaperumal Koil, Chengalpattu Taluk, Chengalpattu District in Survey No.1/2A2 measuring an extent of 473.616 sq.fts and Survey No.2/2B2 measuring an extent of 1173.276 sq.fts.

For Petitioner : Mr.A.Babu

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate



O R D E R

(The case has been heard through video conference)

The writ petition has been filed seeking a direction to the first respondent District Collector to refer the Award to a competent Civil Court under Section 20 of the Tamil Nadu Highways Act, 2001.

2. According to the petitioner his lands were acquired under the Tamil Nadu Highways Act, for formation of Railway Over Bridge (L.C.47) and Award was also passed on 25.08.2011. Not being satisfied with the quantum of the Award, the petitioner has filed an application, in time, before the first respondent to refer the Award to a Civil Court, under Section 20 of the Tamil Nadu Highways Act, 2001. As the Award was not referred by the first respondent, the petitioner has filed the present writ petition.

3. Notice was ordered to the respondents and today when the matter was taken up, Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents, on instructions submitted that award amount has been paid and possession has been taken. He further submitted that the third respondent with the required particulars will submit the Award to the first respondent District Collector, and the first respondent will refer the same to the Civil Court under Section 20 of the Tamil Nadu Highways Act, 2001 within a short span of time.

4. Recording the said submission made by the learned Government Advocate and also considering the fact that the Award has been passed in the year 2011, and the petitioner's representation is pending for more than 10 years, the first respondent District Collector is directed to refer the Award to a competent Civil Court as contemplated under Section 20 of the Tamil Nadu Highways Act, 2001 within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Land Acquisition Officer - cum -
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Chengalpattu District.

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Projects Division - I,
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Chrompet,
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3. The Special Tahsildhar (L.A),
I.R.R. Scheme, now having office at
110/A, G.S.T. Road,
Chrompet,
Chennai.

+3cc to Mr.A.C.Kumaragurubaran, Advocate, S.R.No.31594
+1cc to the Government Pleader, S.R.No.31966

W.P.No.12730 of 2021

UM(CO)
RGA(02/08/2021)