



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.Nos.12734 & 12736 of 2021

Malliga Selvaraj ..Petitioner in W.P.No.12734 of 2021

Sri Mahivarman ..Petitioner in W.P.No.12736 of 2021

Vs.

1. The Land Acquisition Officer - cum -
District Collector, Chengalpattu,
Chengalpattu District.
2. The Special Tahsildhar (L.A),
I.R.R. Scheme, now having office at
110/A, G.S.T. Road,
Chrompet, Chennai. ..Respondents in both the WPs

Prayer in W.P.No.12734 of 2021: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents herein to refer Award No.6 of 2008, dated 20.11.2008 to the competent Civil Court pursuant to the petitioner's representation sent on 12.01.2009 to the respondents in respect of the petitioner's acquired land under Tamil Nadu Highways Act, 2001 an extent of 29 Square Meter in Survey No.16/2, at Adambakkam Village (Ward:F, Block:14), Alandur Town, Tambaram Taluk (now Alandur Taluk), Chengalpattu District.

Prayer in W.P.No.12736 of 2021: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents herein to refer Award No.6 of 2008, dated 20.11.2008 to the competent Civil Court pursuant to the petitioner's representation sent on 12.01.2009 to the respondents in respect of the petitioner's acquired land under Tamil Nadu Highways Act, 2001 an extent of 63 Square Meter in Survey No.51/1, at Adambakkam Village (Ward:F, Block:14), Alandur Town, Tambaram Taluk (now Alandur Taluk), Chengalpattu District.

For Petitioner : Mr.A.Babu
in both the WPs

For Respondents : Mr.Yogesh Kannadasan,
in both the WPs Government Advocate



C O M M O N O R D E R

(The case has been heard through video conference)

The writ petitions have 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 petitioners their lands were acquired under the Tamil Nadu Highways Act, for formation of Southern Sector Inner Ring Road connecting N.H.45 and OMR and Award was also passed on 20.11.2008. Not being satisfied with the quantum of the Award, the petitioners 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 petitioners have filed the present writ petitions.

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 second 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 2008 and the petitioner's representation is pending for more than 12 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 petitions are 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 -
District Collector, Chengalpattu,
Chengalpattu District.

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

+6cc to Mr.A.C.Kumaragurubaran, Advocate, S.R.No.31592, 31593

+1cc to the Government Pleader, S.R.No.31966

W.P.Nos.12734 & 12736 of 2021

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