



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.9267 of 2021

and

W.M.P. No. 9829 of 2021

M/s. Chettinad Morimura

Semicounductor Material Pvt. Ltd.,

rep. By Company Secretary

Mr.V.G.Vimhalesh

... Petitioner

Vs.

1.The State of Tamil Nadu,
rep. By Secretary to Government,
Highways and Minor Ports Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Chengalpattu,
Chengalpattu Dt.

3.The Special Tahsildar (Land Acquisition),
Information Technology Highway Scheme,
Tambaram,
Chennai-600 047.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd and 3rd Respondents to refer the petition for enhancement of compensation made by the petitioner on 25.11.2013 to the Civil Court in accordance with Section 20 of the Tamil Nadu Highways Act, 2001 in respect of the land measuring 1609 sq.mts in Survey Nos. 267/1, 267/2, 267/3, 65/2A1A and S.No.100/2 in Kazhipattur Village, Tiruporur Taluk, Chengalpattu District belonging to the petitioner and acquired by the 1st respondent under G.O. (Ms.) No.126, Highways and Minor Ports (HQ2) dated 30.10.2011 published in the Official Gazette on 23.11.2011.

For Petitioner : Mr.S.Vasudevan

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate for R1 to R3



O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction directing the 2nd and 3rd respondents to refer the award in accordance with Sec.20 of Tamil Nadu Highways Act.

2. According to the petitioner, his land was sought to be acquired for widening the road and the award was also passed on 30.09.2013. Not being satisfied with the award, the petitioner has sent a representation to the respondents 2 and 3 to refer the award under Sec.20 of Tamil Nadu Highways Act (hereinafter called as 'Act') on 25.11.2013, which was received by the 2nd respondent on 27.11.2013 and the copy of acknowledgment was also produced in the typed set of papers. His grievance is that, so far, the petitioner's representation was not considered and no order has been passed in it. Hence, the present writ petition has been filed by the petitioner.

3. Heard the submissions made by learned counsel appearing for petitioner as well as learned Government Advocate and perused the records.

4. Considering the fact that, as the petitioner's representation seeking for reference is pending from the year 2013, the 2nd and 3rd respondents are directed to consider petitioner's representation and pass suitable orders on merit within a period of six weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rpp

To

1. Secretary to Government,
State of Tamil Nadu,
Highways and Minor Ports Department,
Fort St. George,
Chennai-600 009.



2.The District Collector,
Chengalpattu,
Chengalpattu Dt.

3.The Special Tahsildar (Land Acquisition),
Information Technology Highway Scheme,
Tambaram,
Chennai-600 047.

+lcc to the Government Pleader (SR No.33946)

W.P.No.9267 of 2021

UM (CO)
PR (16/08/2021)