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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.08.2021

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP.Nos.17093 & 17096/2021

[Video Conferencing]

M.Geetha	...	Petitioner in WP.No.17093/2021
T.Umamaheswari	...	Petitioner in WP.No.17096/2021

Versus

1. The Union of India
rep.by its Secretary to the
Government, Ministry of Road
Transport and National Highways
New Delhi.
 2. The Special Tahsildar [Land Acquisition]
National Highways, Bangalore-Chennai
Fast Road Scheme,, Unit-III, NO.15,
Visalakshi Nagar, Sevilimedu
Kancheepuram 631502.
- ... Respondents in
both WPs

Prayer in WP.No.17093/2021: -

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to settle the award amount of compensation to the land acquired by them as on date to an extent of 2420 sq.ft., in Farm plot No.21B, comprised in survey No.57, situated in No.121, Podavur Village, Sriperumbudur Taluk, Kancheepuram District and 40 Nos six months teak plants Farm name Sri Devi Teak Garden having purchased the same through registered Sale Deed dated 30.07.2010 vide Doc.No.7155/2010 in the office of the Sub Registrar, Sriperumbudur to double the present market value of the property with 24% interest per annum from the date of acquisition to till the date of settlement of the entire payment along with penalty for the delay in payment on the representation dated 20.06.2021.



Prayer in WP.No.17096/2021: -

Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to settle the award amount of compensation to the land acquired by them as on date to an extent of 2412 sq.ft., in Farm plot No.21A, comprised in survey No.57, situated in No.121, Podavur Village, Sriperumbudur Taluk, Kancheepuram District and 40 Nos six months teak plants Farm name Sri Devi Teak Garden having purchased the same through registered Sale Deed dated 30.07.2010 vide Doc.No.7154/2010 in the office of the Sub Registrar, Sriperumbudur to double the present market value of the property with 24% interest per annum from the date of acquisition to till the date of settlement of the entire payment along with penalty for the delay in payment on the representation dated 20.06.2021.

For Petitioners in
both Writ Petitions : Mr.R.Balasubramanian

For R1 in both
Writ Petitions : M/s.P.J.Anitha

For R2 in both
Writ Petitions : Mr.K.M.D.Muhilan
Government Advocate

COMMON ORDER

- (1) Ms.P.J.Anitha, learned counsel accepts notice on behalf of the 1st respondent and Mr.K.M.D.Muhilan, learned Government Advocate accepts notice on behalf of the 2nd respondent.
- (2) Two co-sisters have approached this Court filing writ petitions in the nature of mandamus seeking compensation amount with respect to the lands which they had purchased by Sale Deeds dated 30.07.2010 bearing Doc.Nos.7155 & 7154/2010. The said lands had been acquired by the 2nd respondent in view of road expansion and the complaint by the petitioners is that though necessary process had been completed, they had not been paid with necessary compensation.
- (3) The learned Government Advocate appearing for the 2nd respondent informed this Court that the compensation amounts still remains with the 2nd respondent and has not been disbursed owing to the fact that acquisition proceedings were in the names of the vendors of the petitioners herein.



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- (4) The petitioner in WP.No.17093/2021, Mrs.M.Geetha, had purchased the lands to an extent of 2420 sqft., in Farm plot No.21B, comprised in survey No.57, situated in No.121, Podavur Village, Sriperumbudur Taluk, Kancheepuram District, including the teak plants which were already in the said Farm. The petitioner in WP.No.17096/2021, Mrs.T.Umamaheswari, had purchased the lands to an extent of 2412 sqft., in Farm plot No.21A, comprised in survey No.57, situated in No.121, Podavur Village, Sriperumbudur Taluk, Kancheepuram District, including the teak plants which were already in the said Farm. Both the plots of the land had been acquired by the respondents herein. Seeking compensation for the same, the present writ petitions have been filed.
- (5) As stated, the compensation amount is still with the 2nd respondent and has not been disbursed in view of the fact that the acquisition proceedings were in the names of the vendors of the writ petitioners.
- (6) After having heard the learned counsel for the petitioners and also the learned Government Advocate appearing for the 2nd respondent and also Ms.P.J.Anitha, learned counsel for the 1st respondent, a direction is given to the petitioners herein to approach the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order and inform him in advance, produce their Title Documents with respect to the lands which had been acquired by the respondents and which had been given above and thereafter, give a representation in writing seeking compensation. If the 2nd respondent is satisfied about the holding of the petitioners and about their title, he may proceed to disburse the compensation already available. At any rate, the entire exercise should be completed within a period of twelve weeks from the date when the petitioners approach the 2nd respondent with the written representations along with the document evidencing their holdings over the aforesaid lands.
- (7) The writ petitions stand allowed with the above direction. No costs.

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

AP



1. The Secretary to the Government,
Union of India, Ministry of Road
Transport and National Highways
New Delhi.

- +2cc to Mr.R.Balasubramanian, Advocate, SR.No.40870 & 40871
+2cc to M/s.P.J.Anitha, Advocate, SR.No.40905 & 40906
+1cc to Government Pleader, SR.No.41479

KSM (CO)
CT (08/09/2021)