



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.18000 of 2021

D. Radhammal

...Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Singaravelar Maligai, Chennai - 600 001.

2. The Special Tahsildar,
Land Acquisition,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.

3. The Divisional Engineer (H),
Projects, Division-I,
Chennai - 600 044.

....Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 21.06.2021 within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.M.K.Bhoopathy Rajan

For RR1 to 3 : Mr.V.Veluchamy
Government Advocate

ORDER

The petitioner has come up with this present writ petition for issuance of a Writ of Mandamus to direct the first respondent, based on her representation, dated 21.06.2021.

2. The case of the petitioner is that she is a senior citizen and her land measuring an extent of 2400 sq.ft in Survey No.435/01 in Velachery Village was acquired for the purpose of widening bypass road at Velachery. The respondents have paid the compensation at the rate of Rs.76/- per sq.ft. The petitioner would state that the neighbouring land owners sought reference



to the Civil Court under Section 18 of the Land Acquisition Act. Pursuant to the reference, the learned VI Assistant City Civil Judge, Chennai enhanced the compensation in LAOP.No.35 of 2003 by fixing compensation at the rate of Rs.484/- per sq.ft. Since, the petitioner is also entitled for the compensation at rate fixed by the Civil Court. Subsequently, the petitioner had received the compensation amount of Rs.24,16,586/- from the respondents after a lapse of 20 years without any interest amount. Therefore, the petitioner made a representation dated 21.06.2021 to the first respondent seeking for the interest amount for 20 years and to enhance the compensation, but the respondents have not considered her representation. Hence this petition.

3. The learned Government Advocate submitted that under Section 28 of the Land Acquisition Act, the competent authority is the District Collector and if the petitioner makes a representation, it would be considered on merits and in accordance with law.

4. Taking note of the facts the case and submissions made by the learned counsels on either side, this Court, without going into the merits of the case, this Court directs the first respondent/District Collector, Chennai to consider the representation of the petitioner dated 21.06.2021 and pass appropriate orders on merits in accordance with law, after providing an opportunity of personal hearing to the petitioner and necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

gba/msm

To

1. The District Collector,
Office of the Collectorate,
Singaravelar Maligai,
Chennai - 600 001.



2. The Special Tahsildar,
Land Acquisition,
Chennai Metropolitan Development Authority,
Egmore, Chennai - 600 008.

3. The Divisional Engineer (H),
Projects, Division-I,
Chennai - 600 044.

+1cc to M/s.M.K.Bhoopathy Rajan, Advocate, S.R.No.55255

+1cc to the Government Pleader, S.R.No.55368

W.P.No.18000 of 2021

KSM(CO)
RGA(07/12/2021)