

W.P.Nos.17589, 17591 and 19471 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM: JUSTICE N.SESHASAYEE

W.P.Nos.17589 and 17591 of 2020

and

W.M.P.Nos.21804 and 21807 of 2020

and

W.P.No.19471 of 2020

and

W.M.P.No.24073 of 2020

S.Tamilmani

...Petitioner in
W.P.No.17589 of 2020

B.Vedhaa

...Petitioner in
W.P.No.17591 of 2020

1.M.Ramachandran
2.M.Balasubramaniam
3.M.Chandrasekar
4.M.Devaki

...Petitioners in
W.P.No.19471 of 2020

-Vs-

1.The Principal Secretary to Government,
Highways and Minor Ports Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Project Director, (FAC),
Chennai-Kanyakumari Industrial Corridor Project,
CKICP Complex, HRS Campus,
No.76, Sardar Patel Road,

Guindy, Chennai-600 025.

3.The Chief Engineer,
Chennai-Kanyakumari Industrial Corridor Project,
CKICP Complex, HRS Campus,
No.76, Sardar Patel Road,
Guindy, Chennai-600 025.

4.The District Collector,
Cuddalore District, Cuddalore.

5.The Special District Revenue Officer,
(Land Acquisition),
Chennai-Kanyakumari Industrial Corridor Project,
No.16, Visalakshi Nagar, Sevilimedu,
Kancheepuram-631 502.

6.The Special Tahsildar,
(Land Acquisition),
Chennai-Kanyakumari Industrial Corridor Project,
State Highways – 09, Cuddalore – Madappattu Unit,
Near Arcot Hospital, A.L.C.Campus,
No.10, YMCA Colony, Pudupalayam,
Cuddalore-607 001.

7. The Divisional Engineer,
(Highways),
Chennai-Kanyakumari Industrial Corridor Project,
Cuddalore Division, Cuddalore,
Cuddalore District.

...Respondents

Prayer in W.P.No.17589 of 2020: Writ Petition is filed under Article 226

of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to fix the market price for acquiring petitioner's land situated in S.No.134/1B1, Kanisapakkam Village, Panruti Taluk, Cuddalore

District by invoking Under Sections 26 to 31 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 together with solatium and other benefits.

Prayer in W.P.No.17591 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to fix the market price for acquiring petitioner's land situated in Old S.No.83/1A, new S.No.83/1A1, Kanisapakkam Village, Panruti Taluk, Cuddalore District by invoking Under Sections 26 to 31 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 together with solatium and other benefits.

Prayer in W.P.No.19471 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to fix the market price for acquiring petitioners land situated in S.Nos.52/2, 52/3, 53/2 and 51/7, Panappakkam Village, Panruti Taluk, Cuddalore District by invoking Under Sections 26 to 31 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 together with solatium and other benefits.

For Petitioner
(in all W.Ps) : Mr.C.Prakasam

For Respondents : Mr.V.Anandhamurthy
(in all W.Ps.) Additional Government Pleader

COMMON ORDER

The short prayer of the petitioners in all these cases are that for the acquisition of the properties of the petitioners under the provisions of Tamil Nadu Highways Act, 2001, the compensation has to be paid in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2. Mr.V.Anandamurthy, learned Additional Government Pleader made a statement on behalf of the Land Acquisition Authority that compensation indeed will be paid only in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and G.O.(Ms).No.300, Revenue and Disaster Management (LA-1(1)) Department dated 20.09.2017. He also added in terms there of an award has been passed as under:

Sl.No.	Case No.	Party Name	Date of Award
1	W.P.No.17589 of 2020	S.Tamilmani	18.01.2021
2	W.P.No.17591 of 2020	B.Vedhaa	10.12.2020
3	W.P.No.19471 of 2020	1.M.Ramachandran 2.M.Balasubramaniam 3.M.Chandrasekar 4.M.Devaki	25.01.2021

3. Now, the learned counsel for the petitioners would intervene and make a statement that no notice for enquiry has been ever served before passing the award.

4. Inasmuch as the award has been passed and it is stated to have been passed in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 enactment and G.O.(Ms).No.300, Revenue and Disaster Management (LA-1(1)) Department dated 20.09.2017 nothing survives for the present. If the petitioner aggrieved by the said order on any ground including violation of principles of natural justice, he may take re-course to such appropriate proceedings as are available to him under law.

5. With the above observation, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

25.01.2021

Index : Yes/No

Internet : Yes/No

ssn

To

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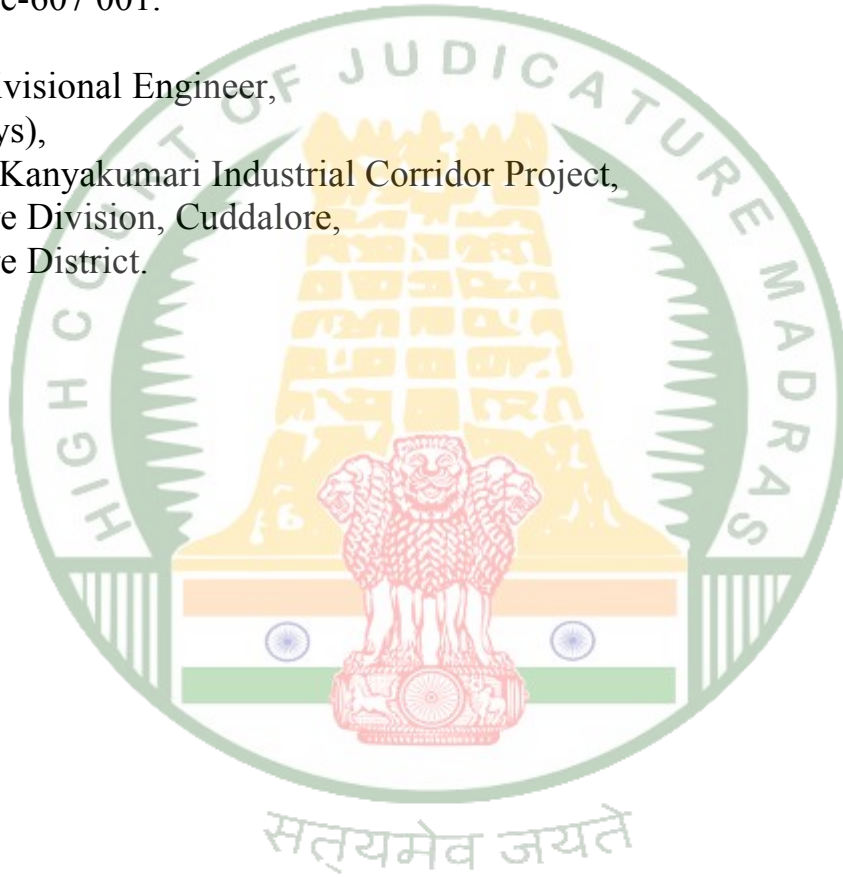
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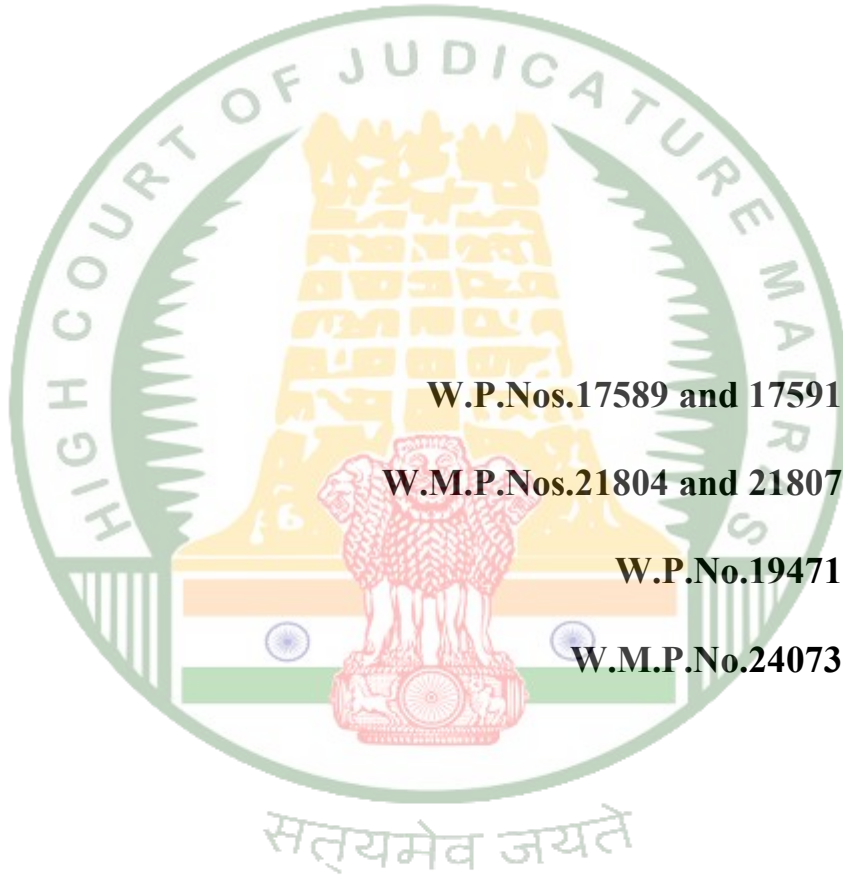


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N.SESHASAYEE, J.,

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