



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

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CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.21768 OF 2021

V.Vasantha

...Petitioner

Versus

1. The Collector of Chennai Cum
Land Acquisition Officer for Southern Sector of Inner
Ring Road Scheme, Phase - II
Singaravelan Maligai,
Rajaji Salai, Chennai - 600 001.
2. The Special Tahsildar (LA)
Highways I.R.R.Scheme,
Mambalam Guindy Taluk E
Southern Sector of Inner Ring Road,
Scheme, Phase - II @ Collectorate,
Singaravelan Maligai,
Rajaji Salai, Chennai - 600 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to refer the dispute of fixing the correct market value to the competent civil court in respect of petitioner's land acquired from her in Survey No.710/7 PART, Re-Survey No.710/74 measuring an extent of 3/4 Cent (326.6 sq.ft.) at Velacherry Village, Mambalam-Guindy Taluk, Chennai, for the formation of Southern-Sector Inner Ring Road - Phase II as per Section 20 of Tamil Nadu Highways Act 2001, written request made to the respondents herein on 14.12.2009 and subsequent representation sent to the respondents herein on 06.08.2016 by the petitioner herein or to direct the respondents herein to implement the final order passed in the batch of cases in CRP.Nos.1413 of 2020, etc., on 01.10.2020 of this Court, the above said batch of CRP's by partly confirming the award passed



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by the reference court enhancing the compensation from Rs.102/- Per Sq.ft. to Rs.1655/- per sqft., with all statutory benefits.

For Petitioner : Mr.K.M.Venugopal

For Respondents : Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to refer the dispute of fixing the correct market value to the competent civil court in respect of petitioner's land acquired from her in Survey No.710/7 PART, Re-Survey No.710/74 measuring an extent of 3/4 Cent (326.6 sq.ft.) at Velacherry Village, Mambalam-Guindy Taluk, Chennai, for the formation of Southern-Sector Inner Ring Road - Phase II as per Section 20 of Tamil Nadu Highways Act 2001, written request made to the respondents herein on 14.12.2009 and subsequent representation sent to the respondents herein on 06.08.2016 by the petitioner herein or to direct the respondents herein to implement the final order passed in the batch of cases in CRP.Nos.1413 of 2020, etc., on 01.10.2020 of this Court, the above said batch of CRP's by partly confirming the award passed by the reference court enhancing the compensation from Rs.102/- Per Sq.ft. to Rs.1655/- per sqft., with all statutory benefits.

2. According to the petitioner, the property in Survey No.710/7 PART, Re-Survey No.710/74 measuring to an extent of 3/4 Cent (326.6 sq.ft.) at Velacherry Village, Mambalam-Guindy Taluk, Chennai, had been acquired by the respondents under Section 15(2) of Tamil Nadu Highways Act, 2001 on 18.12.2003 and the same was confirmed by declaration made under Section 15(1) of Tamil Nadu Highways Act on 08.09.2004 and published in Tamil Nadu Government Gazzette No.35, Part-II, Section 2, dated 08.02.2004 and the land was vested upon the Government under Section 16(1) of Tamil Nadu Highways Act on 08.01.2004 onwards and the possession of the claimants' land was taken away by the Authorities on 01.10.2005. Similarly, the petitioner's another part of land in Survey No.710/1F Part measuring to an extent of 1/2 Cent (217.7 Sq.ft.,) had been acquired as per above said same notification. Thereafter, the common award was passed vide



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is issued to the respondents to consider the petitioner's representations dated 14.12.2009 and 06.08.2016 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representations dated 14.12.2009 and 06.08.2016 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner and necessary parties concerned within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

gba

To

1. The Collector of Chennai Cum
Land Acquisition Officer for Southern Sector of Inner
Ring Road Scheme, Phase - II
Singaravelan Maligai, Rajai Salai, Chennai - 600 001.
2. The Special Tahsildar (LA)
Highways I.R.R.Scheme,
Mambalam Guindy Taluk E
Southern Sector of Inner Ring Road,
Scheme, Phase - II @ Collectorate,
Singaravelan Maligai, Rajaji Salai, Chennai - 600 001.

+1cc to Mr.K.M.Venugopal, Advocate, S.R.No.52653

W.P.No.21768 of 2021

PVS(CO)

RLP(22/11/2021)