

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WP.NO.20005 OF 2020

- 1.D.Rathinam
- 2.M.Nagappan
- 3.V.Vasantha
- 4.P.Jaya
- 5.B.Kamalakanni
- 6.K.Gopalakrishnan

...Petitioners

-Vs-

- 1.The District Collector-Chennai,
Office of the District Collectorate,
Singaravelar Maligai,
Rajaji Salai, Chennai-600 001
- 2.The District Revenue Officer-Chennai,
Office of the District Collectorate,
Singaravelar Maligai, Rajaji Salai, Chennai-600 001
- 3.The District Revenue Officer,
(Land Acquisition), Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai-35
- 4.The Special Tahsildar(LA-II),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai-600 035.

...Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the representations of the petitioners dated 23.09.2017, 30.01.2020 and 04.09.2020 within a time frame as stipulated by this Court.

For Petitioner : Mr.M.Kampraj

For Respondents : Mr.D.Raja
Additional Government Pleader

ORDER

The point involved in this case is that the properties of the petitioners were acquired and an award came to be passed in 1986. However, they did not move the Competent Court seeking enhancement under Section 18 of the Land Acquisition Act, 1894. However, some of the land owners have moved the Competent Court, viz., Sub Court, Poonamallee and an award came to be passed by Sub Court, Poonamallee. Based on the same and within the time stipulated, the petitioners are stated to have filed their representations for granting them parity in the matter of awarding compensation in terms of Section 28-A of the said Act.

2.Mr.D.Raja, learned Additional Government Pleader made a statement on instructions that in February 2020, the petitioners indeed have moved the first respondent seeking enhancement of compensation under Section 28-A of the Land Acquisition Act, 1894. The learned Additional Government Pleader submitted that due to Corona Pandemic, the first respondent could not bestow his attention to this petition.

3.The said statement of the learned Additional Government Pleader is recorded.

4.This Court, now directs the first respondent to dispose of the petitioners' representations dated 23.09.2017, 30.01.2020 and 04.09.2020 seeking enhancement of compensation under Section 28-A of the Land Acquisition Act, 1894 within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

dn

To

1. The District Collector-Chennai,
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Singaravelar Maligai,
Rajaji Salai, Chennai-600 001
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4. The Special Tahsildar (LA-II),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai-600 035.

+1cc to Mr.M.Kampraj, Advocate, S.R.No.2588

+1cc to the Government Pleader, S.R.No. 2736

W.P.No.20005 of 2020

SV(CO)
CS/01/03/2021



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