



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. NOS.23039, 23041 & 23043 OF 2021

AND

WMP. NOS.24230, 24231 & 24233 OF 2021

A.R.R. Charitable Trust,
Rep. by its Founder Trustee,
A.V. B. Ramachandiran,
having its registered office at,
No.31-B, Jawaharlal Nehru Salai,
Thiru Nagar, Vadapalani,
Chennai - 600 083.

... Petitioner
(in W.P. No.23039 of 2021)

A.V.B. Ramachandiran, -HUF,
No.317, 41st Street,
6th Avenue, Ashok Nagar,
Chennai - 600 083

.... Petitioner
(in W.P. No.23041 of 2021)

1.A.V.B. Ramachandiran,
2.Mrs.R.Radha

.... Petitioners
(in W.P. No.23043 of 2021)

-Vs-

1. The District Collector,
Master Plan Complex NH 205,
Chennai -Tiruttani Highway,
Thiruvallur- 602 001.
2. The District-Revenue Officer-Land Acquisition,
Chennai ORR Scheme,
Koyembedu, Chennai - 600 107.
3. The Special Tahsildar, (Land Acquisition)
Chennai ORR Scheme, Avadi

... Respondents
(In All Writ Petitions)



Prayer in WP.23039/2021:

These Petitions are filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, directing the respondents to make reference to the competent Court under Section 20(1) of the Tamil Nadu Highways Act 2001 for the enhancement of compensation as against the Original Award No.1 of 2021 dated 22.04.2021, not served to the petitioner in so far as the petitioners land ad-measuring 877 Sq.Mtrs comprising in S.No.51/3A-51/3A2, 372 Sq.Mtrs comprising in S.No.51/3B-51/3B2, totaling 1249 Sq.Mtrs(13444 Sq.ft) of 114, Nallur Village Avadi Taluk, Thiruvallur District within time frame.

Prayer in W.P.23041 of 2021:

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, Directing the respondents to make reference to the competent court under Section 20(1) of the Tamil Nadu Highways Act 2001 for the enhancement of compensation as against the Original Award No. 1/2021 dated 22.04.2021 not served to the petitioner in so for as petitioners land admeasuring 034 sq.mtrs comprising in Survey No. 51 / 1A-51 / 1A2 and measuring 192 sq. mtrs comprising in Survey Nos. 51 / 1B-51 / 1B2 totalling 266 sq. mtrs(2433 sq. ft) of No. 114 Nallur Village Avadi Taluk Thiruvallur District within time frame.

Prayer in W.P.23043 of 2021:

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue a Writ of Mandamus, Directing the respondents to make reference to the competent court under Section 20(1) of the Tamil Nadu Highways Act 2001 for the enhancement of compensation as against the Original Award No. 1/2021 dated 22.04.2021 not served to the petitioner in so for as petitioners land admeasuring 369 sq.mtrs comprising in No. 51 / 4-51 / 4B of No. 114 Nallur Village Avadi Taluk Thiruvallur District within time frame.

For Petitioners :: Mr. B. Srinivasa Babu

For Respondents :: Mr.V. Veluchamy
(Government Advocate)

(In All Writ Petitions)



COMMON ORDER

The relief sought for in these writ petitions is for a direction to the respondents to make reference to the competent Court under Section 20(1) of the Tamil Nadu Highways Act 2001 for the enhancement of compensation as against the Original Award No.1 of 2021 dated 22.04.2021, not served to the petitioners herein, in so far as the petitioners land ad-measuring 877 Sq.Mtrs comprising in S.No.51/3A-51/3A2, 372 Sq.Mtrs comprising in S.No.51/3B-51/3B2, 369 Sq.Mtrs. comprising in S.No.51/4-51/4B, 034 Sq.Mtr comprising in S.No.51/1A-51/1A2, and 192 Sq.Mtr comprising in S.Nos.51/1B-51/1B2, Nallur Village Avadi Taluk, Thiruvallur District within time frame as fixed by this Court and pass order accordingly.

2. Heard the learned counsel for the petitioners and the learned Government Advocate as well as perused the material available on records.

3. Having considered the facts and circumstances of the case and submissions of the learned counsel on either side, as the petitioners have made representations to the respondents 2 and 3 objecting the lower compensation awarded by the respondents for their land acquisition under Tamil Nadu Highway Act, 2001 and requesting to refer their objections under Section 20(1) of the Tamil Nadu Higher Compensation, the respondents are directed to consider their representations dated 28.06.2021 and pass orders in accordance with law within a period of two months from the date of receipt of copy of this order after affording sufficient opportunity to the petitioners herein. It is made clear that this Court has not expressed any opinion with regard to the merits of case.

4. With the aforesaid directions, the present Writ petitions are disposed of. Consequently, connected miscellaneous petitions are closed if any. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Lbm



To:

1. The District Collector,
Master Plan Complex NH 205,
Chennai -Tiruttani Highway,
Thiruvallur- 602 001.
2. The District-Revenue Officer-Land Acquisition,
Chennai ORR Scheme,
Koyembedu, Chennai - 600 107.
3. The Special Tahsildar, (Land Acquisition)
Chennai ORR Scheme,
Avadi.

+3ccs to Mr.B.Srinivasa Babu, Advocate, S.R.No.55209,55208,55207
+1cc to the Government Pleader, S.R.No.56196,56194 & 56241

W.P. Nos.23039, 23041 & 23043 of 2021
and
WMP. Nos.24230, 24231 & 24233 of 2021

PL(CO)
PM/09/12/2021