



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.1833 of 2021
and
W.M.P.No.2066 of 2021

K.Kothadan

...Petitioner

-Vs-

1. The District Collector,
Tiruvallur District at
Tiruvallur.
2. The Competent Authority /
The Special District Revenue Officer (LA),
National Highways-205-I,
(Alamelu Mangapuram Village-Pakkam),
No.3 and 4, Lal Bagadur Sasthri Street,
Periyakuppam,
Tiruvallur.
3. The Deputy General Manager (T)/
The Project Director,
National Highways-205-I,
(Alamelu Mangapuram Village-Pakkam),
Project Implementation Unit,
National Highways Authority of India,
Guindy,
Chennai - 600 032.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to redetermine the compensation at Rs.24,328.54 sq.m (inclusive of land value at Rs.11,324.69 per sq.m, additional compensation and solatium) in the place of Rs.8608/- per sq.mt to the land of the petitioner to the extent of 1827 sq.mt in S.No.120/1, in 90-Ayathur Village, Thiruvallur Taluk, Thiruvallur District, on the basis of the compensation granted to a portion of the same survey number in S.No.120/1 (subsequently sub divided as S.No.120/2B) by the second respondent in his proceedings dated 19.10.2016 in R.C.No.34/2020/Unit-V.



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For Petitioner : Mr.P.Wilson, Senior Counsel
for Mr.T.K.Saravanan

For R1 and R2 : Mr.M.Muthusamy
Government Advocate

For R3 : Mr.Su.Srinivasan

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to redetermine the compensation at Rs.24,328.54 sq.m (inclusive of land value at Rs.11,324.69 per sq.m, additional compensation and solatium) in the place of Rs.8608/- per sq.mt to the land of the petitioner to the extent of 1827 sq.mt in S.No.120/1, in 90-Ayathur Village, Thiruvallur Taluk, Thiruvallur District, on the basis of the compensation granted to a portion of the same survey number in S.No.120/1 (subsequently sub divided as S.No.120/2B) by the second respondent in his proceedings dated 19.10.2016 in R.C.No.34/2020/Unit-V.

2.Heard Mr.P.Wilson, learned Senior Counsel appearing for the petitioner, Mr.M.Muthusamy, learned Government Advocate appearing for the respondents 1 and 2 and Mr.Su.Srinivasan, learned counsel appearing for the third respondent.

3.Without expressing any opinion on the merits of the writ petition, the first respondent is directed to consider the representation of the petitioner, dated 27.10.2020, after giving an opportunity of hearing to the petitioner and on basis of the Judgment of the Hon'ble Supreme Court of India in 2019 (9) SCC 304 in the case of "Union of India and Another Vs Tarsem Singh and others", within a period of twelve weeks from the date of receipt of a copy of this order.

4.With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruvallur District at
Tiruvallur.

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2. The Competent Authority /
The Special District Revenue Officer (LA),
National Highways-205-I,
(Alamelu Mangapuram Village-Pakkam),
No.3 and 4, Lal Bagadur Sasthri Street,
Periyakuppam,
Tiruvallur.

3. The Deputy General Manager (T) /
The Project Director,
National Highways-205-I,
(Alamelu Mangapuram Village-Pakkam),
Project Implementation Unit,
National Highways Authority of India,
Guindy,
Chennai - 600 032.

+1cc to M/s.T.K.Saravanan, Advocate, S.R.No.141

+1cc to the Government Pleader, S.R.No.622

W.P.No.1833 of 2021
and
W.M.P.No.2066 of 2021

BP(CO)
RGA(25/01/2022)