



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.2770 OF 2020

Dr.C.S.Nanda Kumar

...Petitioner

Vs

1.The Tahsildar,
Office of the Taluk Office,
Gujji Naicken Street,
East Anna Nagar,
Chennai - 600 102.

2.The Collector,
Office of the Collector,
Singaravelar Maaligai,
Chennai District,
Chennai.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to take immediate action in respect of non-releasing of dues and of appropriate compensation as per the Land Acquisition Act of 1894 as the land acquired is at the urban area of petitioner's patta property at No.21, 5th Street, Red Hills Road, Villivakkam, Chennai - 600 049 for the purpose of acquiring the patta land of 314/part of block No.52, survey No.T.S.No.28 (new sub-division 28.2) for the 404 sq.ft out of the total 2831 sq.ft acquired by the Department as per the petitioner's representation dated 18.12.2018 and hence the requisite and adequate compensation be considered to release to the beneficiary viz., the petitioner Dr.C.S.Nanda Kumar and kindly pass as per the Land Acquisition Act, 1894, vide Section 18 as elucidated as that of the "Market Value" of the land being acquired under the relevant Act and appropriate compensation ought to be made.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.M.Muthusamy
Government Advocate



ORDER

This writ petition is filed to issue a Writ of Mandamus, to direct the respondents 1 and 2 to take immediate action in respect of non-releasing of dues and of appropriate compensation as per the Land Acquisition Act of 1894 as the land acquired is at the urban area of petitioner's patta property at No.21, 5th Street, Red Hills Road, Villivakkam, Chennai - 600 049 for the purpose of acquiring the patta land of 314/part of block No.52, survey No.T.S.No.28 (new sub-division 28.2) for the 404 sq.ft out of the total 2831 sq.ft acquired by the Department as per the petitioner's representation dated 18.12.2018 and hence the requisite and adequate compensation be considered to release to the beneficiary viz., the petitioner Dr.C.S.Nanda Kumar and kindly pass as per the Land Acquisition Act, 1894, vide Section 18 as elucidated as that of the "Market Value" of the land being acquired under the relevant Act and appropriate compensation ought to be made.

2. Considering the limited relief sought for in the petition, without expressing any opinion on merits of the writ petition, the second respondent is directed to consider the representation of the petitioner dated 18.12.2018, after issuance of notice to the petitioner and counter parties, if any and after giving opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if not already disposed of.

3. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

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To

1.The Tahsildar,
Office of the Taluk Office,
Gujji Naicken Street,
East Anna Nagar,
Chennai - 600 102.



2.The Collector,
Office of the Collector,
Singaravelar Maaligai,
Chennai District,
Chennai.

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W.P.No.2770 of 2020

GSM(CO)
RVM(31/01/2022)