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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.2804 of 2022

M/s.Citadines OMR Apart Hotel Private Limited,
No.94, Sathyadev Avenue,
MRC Nagar,
Chennai-600028,
Represented by its Director,
Mr.V.Prasanna Raghavan ... Petitioner

Vs.

- 1.The District Revenue Officer (LA),
CMRL Depot,
Poonamalle High Road,
Koyambedu, Chennai-600 107.
- 2.The Land Acquisition Officer,
& Revenue Divisional Officer,
South Chennai Revenue Division,
Guindy, Chennai-600 032. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 02.12.2021 and provide the alignment together with the linear measurements of the land sought to be acquired and give petitioner an opportunity for a personal hearing.

For Petitioner : M/s.Fox Mandal and Associates
For Respondents: Mr.C.Kathiravan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents to consider the representation dated 02.12.2021 and provide the alignment together with the linear measurements of the land sought to be acquired and give the petitioner an opportunity of personal hearing.



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2. The learned Special Government Advocate takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner/company wholly owns the apart hotel located at No.290 Rajiv Gandhi Salai (OMR), Sholinganallur, Chennai 600 119, which is on OMR off Highway 49A. However, the first respondent, namely CMRL (Chennai Metro Rail) is trying to acquire the said property. The petitioner made a representation on 02.12.2021 to the second respondent to reconsider the plan or alter. But, till date, no orders have been passed. Hence, this Writ petition is filed with the above said prayer.

4. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 02.12.2021 in accordance with law and pass appropriate orders within a particular time frame fixed by this Court.

5. The learned Special Government Pleader appearing on behalf of the respondents submits that the petitioner's representation dated 02.12.2021 will be considered by the respondents within the time frame fixed by this Court.

6. Considering the facts and circumstances, the respondents are directed to consider the petitioner's representation dated 02.12.2021 and pass orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Psa
To

1.The District Revenue Officer,
CMRL Depot,
Poonamalle High Road,
Koyambedu, Chennai 600 107.



2.The Land Acquisition Officer,
& Revenue Divisional Officer,
South Chennai Revenue Division,
Guindy, Chennai-600 032.

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+1 cc to M/s.Fox Mandal and Associates, Advocate Sr.NO. 10071
W.P. No.2804 of 2022

JPL(CO)
A.SK(10/03/2022)