



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.02.2022

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.3094, 3095 & 3096 of 2022

V. Loganathan	... Petitioner in W.P.No.3094 of 2022
Eraniyappan	... Petitioner in W.P.No.3095 of 2022
Anjalakshi	... Petitioner in W.P.No.3096 of 2022

Vs

1. The District Collector,
Land Acquisition Division,
Office of the District Collector,
Chengalpattu District.
 2. The Special Tahsildar,
Land acquisition Unit-1,
Inner ring Road,
C.M.D.A Koyambedu,
Chennai.
 3. The Executive Engineer,
Chennai Metropolitan Development Authority,
Egmore,
Chennai-600 008.
- .. Respondents (in all Wps)

PRAYER IN ALL WPs:

Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the representation of the petitioners dated 20.06.2018 to re-determine the compensation from Rs.1,150/- per cent to Rs.5,750/- per cent as per the Award in L.A.O.P.No.54 of 2004 dated 26.02.2018 as per section 28A of the Land Acquisition Act 1894 within the time limit fixed by this Court.



IN ALL WPs

For Petitioners ... Mr.M. Rajasekhar

For Respondents ... Mr. G. Krishna Raja,
Additional Government Pleader
for R1 & R2

C O M M O N O R D E R

These petitions have been filed seeking a direction to the 1st respondent to re-determine the compensation amount as per the Award in L.A.O.P.No.54 of 2004 dated 26.02.2018 by considering the representations made by the petitioners.

2. Mr. G. Krishna Raja, learned Additional Government Pleader takes notice for the respondents 1 & 2.

3. It is the case of the petitioners that the petitioners are the absolute owners of the lands comprised in S.Nos.227/10A, 228/1A4, 229/5A, 245/5B, 245/6B, 247/5A2, 217/2A1, 224/B/3B & 235A/6 and the said lands were acquired by the respondents for the formation of Outer Ring Road under Ring Road project phase-I. Subsequently, an award dated 29.08.2002 was passed by the 2nd respondent fixing the value of per cent at the rate of a sum of Rs.1,150/-, however, the said award was enhanced to Rs.5750/- per cent on 26.02.2018 by the learned Additional Subordinate Judge, Chengalpattu. In order to avail the enhanced award, the petitioners have made a representation dated 20.06.2018 before the 1st respondent u/s 28(a) of the Land Acquisition of the Act. Since, the same has not been considered, the petitioners have come up with these Writ Petitions with the aforesaid relief.

4. Though very many grounds have been raised, learned counsel for the petitioners submits that it would suffice, if this Court, issues a direction to the 1st respondent herein to consider the representation made by the petitioners and dispose of the same on merits within the time stipulated by this Court.

5. On the above contentions, heard the learned Additional Government Pleader appearing for the respondents 1 & 2 and perused the materials available on record.

6. In view of the limited relief sought for by the learned counsel for the petitioners, this Court without expressing any opinion on the merits of the case, directs the 1st



respondent to consider the representation dated 20.06.2018 made by the petitioners and pass appropriate orders on the same in the light of the award passed in L.A.O.P.No.54 of 2004 dated 20.06.2018, if there is no legal impediment, within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, these Writ Petitions are disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

NHS

To

1. The District Collector,
Land Acquisition Division,
Office of the District Collector,
Chengalpattu District.
2. The Special Tahsildar,
Land acquisition Unit-1,
Inner ring Road,
C.M.D.A Koyambedu,
Chennai.
3. The Executive Engineer,
Chennai Metropolitan Development Authority,
Egmore,
Chennai-600 008.

+1cc to the Government Pleader, SR.No.11517

W.P.Nos.3094, 3095 &
3096 of 2022

GMR(CO)
CB(05/04/2022)