



WEB COPY



W.P.No.3225 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3225 of 2018
and
W.M.P.No.3960 of 2018

J.Sridhar

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Highways and Minor Ports Department,
Secretariat, Chennai – 600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The District Revenue Officer,
Kancheepuram.

4.The Special Tahsildar,
Land Acquisition,
Oragadam Industrial Park Road,
Infrastructure Scheme,
Sriperumbudur,
Kancheepuram District.

... Respondents

PRAYER: This Writ Petition filed under Section 226 of Constitution of India,
pleased to issue a Writ of Mandamus directing the respondents 2 to 4 to fix and



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disburse compensation in respect of lands measuring 990 sq.mts comprised in S.No.34/5, Oragadam Village, Sriperumbudur Taluk, Kancheepuram District under Central Act No.30 of 2013 after taking into consideration of the present market value of the land.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This petition has been filed for issuance of writ of Mandamus to direct the respondents 2 to 4 to fix and disburse compensation in respect of lands measuring 990 sq.mts comprised in S.No.34/5, Oragadam Village, Sriperumbudur Taluk, Kancheepuram District under Central Act No.30 of 2013 after taking into consideration of the present market value of the land.

2. The case of the petitioner is that the petitioner's land was acquired by the fourth respondent vide notice under Section 15(2) of the Tamil Nadu Highways Act, 2001 for laying road for the public purpose and an Award was passed on 25.09.2012 in Na.Ka.No.18/2010. Not satisfied with the award amount, the petitioner made a representation to the second respondent for re-determination of the compensation amount or to refer the matter to Court for



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Reference under Section 20 of the Tamil Nadu Highways Act, 2001. Thereafter,

the second respondent forwarded the same to the fourth respondent/Special Tahsildar on 05.07.2013 to take appropriate action. But, till date, the fourth respondent has not passed any order. Hence, the present petition.

3. The learned counsel appearing for the petitioner submitted that it would suffice if this Court issues direction to the fourth respondent to take decision on the letter forwarded by the second respondent dated 05.07.2013, within a stipulated time frame as fixed by this Court.

4. The learned Special Government Pleader appearing for the official respondents has no objections for the said order being passed and he submitted that appropriate order will be passed on the said letter dated 05.07.2013 within a stipulated time frame.

5. This Court has carefully considered the rival submissions and also perused the materials placed before it.

6. In view of the limited prayer sought for by the petitioner, this Court without expressing any opinion on the merits of the case directs the fourth



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respondent to pass appropriate order on the letter forwarded by the second respondent in Na.Ka.No.46719/2008/F2 dated 05.07.2013, on merits and in accordance with law, after affording an opportunity of personal 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 directions, the writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

14.06.2022

Index : Yes/No
Internet : Yes/No
Speaking / Non speaking order
rsi

To

- 1.The Secretary
Highways and Minor Ports Department,
Secretariat, Chennai – 600 009.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The District Revenue Officer,
Kancheepuram.



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4. The Special Tahsildar,
Land Acquisition,
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Sriperumbudur,
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M.DHANDAPANI, J.

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