



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.9184 of 2022
and
W.M.P.No.8937 of 2022

M.Rajamanickam

...Petitioner

vs.

1. The Member Secretary,
Chennai Metropolitan Development Authority,
(Chennai Outer Ring Road Scheme)
No.8, Gandhi Irwin Road,
Egmore,
Chennai - 600 008.
2. The Special Tahsildar (LA)
& Land Acquisition Officer Unit IV,
Chennai Outer Ring Road Scheme,
Chennai Metropolitan Development Authority,
Koyambedu,
Chennai - 600 107.
3. Tamil Nadu Road Development Company Ltd.,
Rep. by its Chairman & Managing Director,
171, II Floor, Tamil Nadu Maritime Board Bldg.,
South Kesava Perumal Puram,
Pasumpon Muthuramalaingam Road,
Raja Annamalaipuram,
Chennai - 28.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to make payment of the enhanced compensation to the petitioner in terms of the judgment and decree dated 02.07.2021 passed by the Hon'ble Principal District Judge, Tiruvallur In L.A.O.P.No.230 of 2020 within a period as may be fixed by this Court.



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For Petitioner : Mr.R.Maheswari

For Respondents: Mrs.P.Veena Suresh
CMDA for RR1 and 2

Mr.A.Anandan
Government Advocate for R3

ORDER

This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the 1st respondent to make payment of the enhanced compensation to the petitioner, in terms of the judgment and decree dated 02.07.2021 passed by the Principal District Judge, Tiruvallur In L.A.O.P.No.230 of 2020 within a period that may be fixed by this Court.

2.The case of the petitioner is that petitioner is the owner of the land in Old Survey No.8/8 of an extent of 0.02.0 Ares situated at Tiruninravur Village. Subsequently, an Award was passed on 15.03.2010 by the 2nd respondent for acquiring petitioner's land for the purpose of formation of Outer Ring Road Project. While that being so, peitioner has filed LAOP No.230 of 2020 before Principal District Judge Tiruvallur for enhancement of compensation under Section 18 of Land Acquisition Act, against the Tahsildar and the same has been partly allowed on 02.07.2021 by directing the respondents 1 and 2 therein to pay compensation calculated at Rs.1840 per sq.ft. plus 12% solatium and interest. Since the respondents have not made any payment to the petitioner, he has filed the present Writ Petition seeking the aforesaid relief.

3.Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 1st respondent to pay the Award amount in terms of L.A.O.P.No.230 of 2020 dated 02.07.2021 and pass appropriate orders within a particular time frame to be fixed by this Court.

4.The learned counsel appearing for Respondents 1 and 2 (CMDA) and learned Government Advocate for 3rd respondent has no objection for said order being passed.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the 1st respondent to pay the Award amount in terms of L.A.O.P.No.230 of 2020 dated 02.07.2021, within a period of twelve weeks from the



date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs. Consequently connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The Member Secretary,
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(Chennai Outer Ring Road Scheme)
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+1cc to Dr.R.Maheswari, Advocate, S.R.No.25991
+1cc to Mr.P.Veenasuresh, Advocate, S.R.No.25615
+1cc to the Government Pleader, S.R.No.26536

W.P.No.9184 of 2022

MT (CO)
RGA (06/05/2022)