

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos. 11828, 11830, 11832, 11835, 11836, 11837,
11839, 11840, 11842, 11844, 11845, 11846, 11847 & 11848 of 2022
and

W.M.P.Nos.11272,11267,11269,11280,11281,11271,11273,
11890,11277,11282,11283,11260,11262,11263 & 11274 of 2022

S.RANGANATHAN	... PETITIONER in WP No.11828 of 2022
ABDUL SHUKOOR	... PETITIONER in WP No.11830 of 2022
R.CHINNASAMY	... PETITIONER in WP No.11832 of 2022
1.K.JAYALAKSHMI 2.G.RAMA	... PETITIONERS in WP No.11835 of 2022
KALABHARATHI	... PETITIONER in WP No.11836 of 2022
K.KARUNAKARAN	... PETITIONER in WP No.11837 of 2022
V.MOORTHY	... PETITIONER in WP No.11839 of 2022
A.S.MUSTHAQ MOHAMMED	... PETITIONER in WP No.11840 of 2022
V.NEELAVATHI	... PETITIONER in WP No.11842 of 2022
S.PALANI	... PETITIONER in WP No.11844 of 2022
PATHIMA AROCKIASAMY	... PETITIONER in WP No.11845 of 2022
D.SELVANDAN	... PETITIONER in WP No.11846 of 2022
STELLA JAMES	... PETITIONER in WP No.11847 of 2022
A.S.ABDUL GAFFAR	... PETITIONER in WP No.11848 of 2022

Versus

- 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 in all Petition's

Prayer in W.P. No. 11828 of 2022: 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.244 of 2020, 231/2020, 234/2020, 247/2020, 235/2020, 241/2020, 240/2020, 237/2020, 242/2020, 239/2020, 246/2020, 243/2020, 249/2020, 232/2020 within a period as may be fixed by this Court.

For Petitioner : Dr.R.Maheswari (in all cases)

For Respondents : Mrs.P.Veena Suresh
CMDA for RR1 and 2 (in all cases)

Mr.A.Anandan
Government Advocate for R3
(in all cases)

COMMON ORDER

These writ petitions have been filed seeking for issuance of a Writ of Mandamus to direct the 1st respondent to make payment of the enhanced compensation to the petitioners, in terms of the judgment and decree passed in Land Acquisition Original Petitions filed by the petitioners dated 02.07.2021 by the Principal District Judge, Tiruvallur within a period that may be fixed by this Court.

2. The case of the petitioners is that they are the owners of the land situated at Tirunindravur Village. Subsequently, Awards were passed on 15.03.2010 by the 2nd respondent for acquiring petitioners' land for the purpose of formation of Outer Ring Road Project. While that being so, petitioners have filed Land Acquisition Original Petitions before the Principal District Judge, Tiruvallur for enhancement of compensation under Section 18 of Land Acquisition Act, against the Tahsildar and they were 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 solatium and interest. Since the respondents have not made any payment to the petitioners, they have come up with these writ petitions.

3. Though very many grounds have been raised in these writ petitions, the 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 the judgment and decree passed in the Land Acquisition Original Petitions filed by the petitioners 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 the Land Acquisition Original Petitions filed by the petitioners i.e. LAOP No.244 of 2020 on the file of the Principal District Judge, Thiruvallur District, dated 02.07.2021, within a period of twelve weeks from the date of receipt of a copy of this order, if there is no legal impediment.

7. These writ petitions are accordingly disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

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. The Chairman & Managing Director,
Tamil Nadu Road Development Company Ltd.,
171, II Floor, Tamil Nadu Maritime Board Bldg.,
South Kesava Perumal Puram,
Pasumpon Muthuramalaingam Road,
Raja Annamalaipuram, Chennai - 28.

+lcc to Dr.R.Maheswari, Advocate SR. No. 32498
+lcc to M/s.P.Veena Suresh, Advocate SR. No. 32610
+lcc to Government Pleader SR. No. 33116

W.P.Nos.11828 of 2022 etc batch

RGN (CO)
PR (12/07/2022)