



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.14506 of 2022

WEB COPY

A.G.Sundararajan

... Petitioner

Vs.

1. The District Collector of Chengalpattu,
Chengalpattu 603 111.

2. The Special District Revenue Officer (LA)
Chennai-Kanyakumari Industrial Road Scheme,
Kanchipuram.

3. The Special Tahsildar (LA)
Chennai-Kanyakumar Industrial Road Scheme,
Kanchipuram.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the Respondents herein to issue necessary notice and conduct proper enquiry by due process of law before acquiring the petitioner's land viz., house site plot, approved by DTCP in BRR Nagar Housing Layout, measuring an extent of 3450 ½ square feet, comprised in Grama Natham Survey No.835B/36, situate in No.64, Athur Village, Chengalpattu Taluk and District by considering the petitioner's representation dated 28.03.2022.

For Petitioner : Mr.R.Agilesh

For Respondents: Mr.G.Krishna Raja, AGP

O R D E R

Mr. R.Agilesh, learned counsel for the Petitioner and Mr. G.Krishna Raja, Learned Addl. Government Pleader takes notice for the Respondent. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. This Writ Petition has been filed seeking a direction to the Respondents herein to issue necessary notice and conduct proper enquiry by due process of law before acquiring the petitioner's land by considering the petitioner's representation dated 28.03.2022.



3. The case of the petitioner is that the petitioner has purchased a house site plot, which was approved by DTCP, measuring an extent of 3450 ½ sq. ft. comprised in Grama Natham Survey No.835B/36, situated in No.64, Athur Village, Chengalpattu Taluk and District from one A.V.Manoharan by sale deed dated 26.04.2010. Thereafter, the petitioner constructed a compound wall for the above said property and he was in peaceful possession and enjoyment of the same.

4. It is the further case of the petitioner that the second respondent issued notice dated 30.12.2020 for acquiring lands to upgrade the highway road into four-way lanes. The petitioner attended the enquiry along with all necessary documents and the lands touching the petitioner's compound wall was acquired by the Highways Department and he received the compensation for the same. But there is no compensation paid to the petitioner for his buildings. Hence, the petitioner made a representation on 28.03.2022 to the first respondent and the respondent has not considered the same so far. Therefore, the petitioner has filed the present petition seeking with the above said prayer.

5. The learned counsel for the petitioner submitted that this Court may issue a direction to the first respondent to consider the petitioner's representation dated 28.03.2022 and pass orders within the stipulated time as fixed by this Court.

5. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without going into the merits of the case, direct the first respondent to consider the petitioner's representation dated 28.03.2022 and pass necessary orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rli

To

1. The District Collector of Chengalpattu,
Chengalpattu 603 111.

2. The Special District Revenue Officer (LA)
Chennai-Kanyakumari Industrial Road Scheme,
Kanchipuram.



3. The Special Tahsildar (LA)
Chennai-Kanyakumari Industrial Road Scheme,
Kanchipuram.

+1 cc to Mr.T.Dhanasekaran, Advocate Sr.NO. 34624

+1 cc to Government Pleader Sr.NO. 35104

W.P.No.14506 of 2022

pm(CO)

A.SK(01/07/2022)