



W.P. No.15947 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.15947 of 2022

Santhasugumaran

... Petitioner

Vs.

The District Collector,
Chengalpattu District,
Collector Office, GST Road,
Chengalpattu 603 001.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent herein to refer the case to the appropriate Court as per Section 20 of the Tamil Nadu Highways Act, 2001 read with Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within the time fixed by this Court.

For Petitioner : Mr.VS.Mannarsamy

For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent herein to refer the case to the appropriate Court as per Section 20 of the Tamil Nadu Highways Act, 2001 read with



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Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within the time fixed by this Court.

2. The case of the petitioner is that the petitioner's land comprised in Survey No.204/13 along with the building was acquired for the construction of a flyover at Medavakkam junction by issuance of a Notification under Section 15(2) of the Tamil Nadu Highways Act, 2001 on 23.11.2016. Subsequently, an award was passed by the Special Deputy Collector. However, the compensation amount paid to the petitioner is very meager, therefore, the petitioner made representation dated 17.02.2022 before the respondent, seeking to refer the matter to the appropriate Court as per Section 20 of the Tamil Nadu Highways Act, 2001 read with Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred as “the Act”). Since the same was not considered, the petitioner has filed the present Writ Petition.

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



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issues direction to the respondent to consider the petitioner's representation dated 17.02.2022 and refer the matter to the appropriate Court for enhancement of compensation under Section 20 of the Act, within a particular time frame fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondent has no objection for the said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondent to consider the petitioner's representation dated 17.02.2022 and refer the matter to the appropriate Court for enhancement of compensation amount under Section 20 of the Act, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order : Yes / No
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M.DHANDAPANI, J.

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To

The District Collector,
Chengalpattu District,
Collector Office, GST Road,
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