



W.P.No.27116 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.27116 of 2014

A.Abdul Kalam Azad

. . . Petitioner

Vs.

1. The State Government,
Represented by its Secretary to Government,
Housing & Urban Development Department,
Fort St.George, Chennai-9.
2. The Tamil Nadu Housing Board
Represented by its Managing Director,
Nandanam, Chennai-600 035.
3. The District Collector,
Collectorate, Kanchipuram,
Kanchipuram District.

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other Writ or order or direction to direct the Respondents to release unutilized land taken for Shollinganallur Neighbourhood housing Scheme Phase III, bearing Plot No.96 an extent of



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2280 Sq.feet plot comprised in survey No.369/5, Part in Sholinganallur Village, Tambaram Taluk, Kanchipuram District as per new Act Section 24(2) to right fair compensation transparency Act in Land Acquisition Recapitalization Resettlement Act in 2013.

For Petitioner : M/s.G.Ranganathan

For Respondents : M/s. G.Krishna Raja,

Additional Government Pleader for R1 & R3.

: M/s.A.M. Ravindranath Jeyapal for R2

ORDER

The present petition has been filed seeking a direction to the respondents to release the un-utilized land taken for Shollinganallur Neighbourhood housing Scheme, Phase-III, as per new Act under Section 24(2) to right to fair compensation transparency Act in land acquisition Recapitalization Resettlement Act in 2013.

2. It is the case of the petitioner that he had purchased the subject property for a sale consideration of Rs.12,770/- vide the document No.2939/90 dated 28.03.1990 and till date, he is in possession of the same. The said property was acquired under the Land Acquisition Act, for the



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purpose of Shollinganallur Neighbourhood housing Scheme Phase-III.

However, neither the compensation was paid to the petitioner towards the said acquisition nor the possession was taken. Therefore, the petitioner made a representation dated 17.07.2014 to the respondents requesting for payment of compensation. However, till date, said representation has not been considered. Hence, the petitioner has come up with the present petition.

3. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to pay the compensation amount to the petitioner, within the time frame that may be stipulated by this Court.

4. Learned counsel for the 2nd Respondent fairly concedes that the compensation amount towards the subject acquisition will be paid to the petitioner, within the time frame that may be stipulated by this Court.



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5. Though it is seen from the records that the petitioner has made the representation dated 17.07.2014 to the 3rd respondent/District Collector, eight years having been lapsed, this Court, permits the petitioner to submit a copy of the representation dated 17.07.2014 to the 2nd respondent, along with the copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such representation being made, the 2nd respondent is directed to consider the said representation in terms of Section 34 of the Land Acquisition Act and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the aggrieved persons if any, within a period of twelve weeks thereafter.

6. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

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NHS

Index : Yes / No

Internet : Yes / No



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WEB COPY To

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State Government
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Nandanam, Chennai-600 035.
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M.DHANDAPANI, J.

NHS

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