



W.P.No.26283 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.26283 of 2022

Mr.G. Praveen
Represented by his Power Agent
Mr.P.Ramachandran

...Petitioner

Vs.

- 1.The District Collector, Kanchipuram
 - 2.The District Revenue Officer, Kanchipuram.
 3. The Competent Authority cum The Special Tahsildar,
(Land Acquisition), Tamil Nadu Highways,
Oragadam Industrial Park Infrastructure Project,
Kanchipuram.
- ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to consider the representation of the petitioner dated 16.08.2022 seeking to release the award amount fixed by the second respondent and to further enhance the award amount for the land acquired by the Respondents and pass orders.



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For Petitioner : Mr.D. Muthuramalingam

For Respondents : Mr.T.K. Saravanan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent herein to consider the representation of the petitioner dated 16.08.2022 seeking to release the award amount fixed by the second respondent and to further enhance the award amount for the land acquired by the Respondents

2. The learned Government Advocate takes notice for the official respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the absolute owner of the property measuring to an extent of 227 sq. Mts situated in S.No.1585B/2A2 Plot No.2, Sri Rajiv Gandhi Nagar, Perumapattu-Kottambedu Road, Sriperambudur Village, Sriperambudur Taluk, Kanchipuram District. Whiles, there was a proposal to acquire the subject land for the purpose of expanding the road from Singaperumal Koil to



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Sriperumbathur and the 3rd respondent had issued a notice dated 11.07.2016 under Section 19(2) of the Tamil Nadu Highways Act, 2001. Thereafter the said lands was acquired and award came to be passed by the second respondent vide his proceedings in Na.Ka.No.25016/2009/F2 and compensation was granted. Subsequently the petitioner produced all the relevant documents to claim the compensation amount. Due to some personal inconvenience the owner of the land/G.Praveen has given General power of attorney to one Mr.P.Ramachandran who had made representations to the respondents on 16.08.2022 to disburse the award amount for acquiring the said land and also to enhance the award amount. However, no action has been taken till date. Hence, this writ petition is filed with the aforesaid prayer.

4. The learned counsel appearing for the petitioner submitted that the it would suffice, if this Court issues direction to the respondents to consider the petitioners representation dated 16.08.2022 and pass appropriate orders within a reasonable time fixed by this Court. He further submits the compensation ought to be fixed under Section 20 of the Land Acquisition Act 1894.



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5. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation will be considered on merits and in accordance with law.

6. In view of the aforesaid submissions and considering the limited request sought for by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case directs the Respondents to consider the petitioner's representations dated 16.08.2022 and pass appropriate 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.

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

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

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