

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2022

CORAM

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

W.P.No.26605 of 2022

Sindhura Subramaniam

...Petitioner

Vs.

1.The District Collector, Chengalpattu District, Chengalpattu

2. The Special District Revenue Officer (LA),
National Highways, Kanchipuram and Thiruvallur District
Kanchipuram

3. The Project Director,
National Highways Authority of India,
PIU-Kanchipuram

4. The Special Tahsildar (LA)
Unit-I, Puduchery – Mamallapuram Corridor,
Chengalpattu District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to forthwith take action in accordance with law on the representation of the petitioner dated 15.04.2022, with respect to the enhancement of compensation payable to the acquisition of the petitioner's property comprised in part of survey Nos.

104/2B3,104/3C2, 105/1B2 and 105/2B2, measuring an extent of 707 Sq.Mtr. Situated at Kadampadi Village, Thirukazhukundram Taluk, formerly Kanchipuram District and now Chengalpattu District and pass orders.

For Petitioner : Mr.Sankar Ramasamy

For Respondents 1 to 8 : Mr.K.M.D. Muhilan
Additional Government Pleader

For Respondent 9 : Mr.S.V. Srinivasan
(Standing Counsel)

ORDER

By the consent of both the parties this writ petition is disposed of at the admission stage itself.

2. The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to forthwith take action in accordance with law on the representation of the petitioner dated 15.04.2022, with respect to the enhancement of compensation payable to the acquisition of the petitioner's property comprised in part of survey Nos. 104/2B3,104/3C2, 105/1B2 and 105/2B2, measuring an extent of 707 Sq.Mtr. Situated at Kadampadi Village, Thirukazhukundram Taluk, formerly Kanchipuram District and now Chengalpattu District.

3. The case of the petitioner is that the petitioner is the absolute owners of the subject property. Whiles, the subject land was acquired for the purpose of expanding the road under the National Highways Act, 1956. Thereafter the second respondent had passed an order on 21.03.2022 declaring the compensation amount. The grievance of the petitioner is that the the authorities have not assessed the value of the subject property property and they have determined a very low compensation. Hence the petitioner made a representation to the first respondent on 15.04.2022 to enhance the compensation. 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 15.04.2022 and pass appropriate orders within a reasonable time fixed by this Court.

5. The learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner's representation dated 15.04.2022 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 first Respondent to consider the petitioner's representations dated 15.04.2022 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.

10.10.2022

Speaking Order : Yes/ No
Index : Yes/ No
smn

To

- 1.The District Collector, Chengalpattu District, Chengalpattu
2. The Special District Revenue Officer (LA),
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3. The Project Director,
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M.DHANDAPANI,J.

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