



WEB COPY



W.P.No.27795 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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

W.P.No.27870 of 2022
and
W.M.P.No.27164 of 2022

1. L. Brindavathi

2. Gajalakshmi

...Petitioners

Vs.

1. The Principal Secretary to Government of Tamil Nadu
Highway and Minor Port(HW2) Department,
Fort St. George, Chennai 600 009.

2. The District Collector, Chengalpattu,
Chengalpattu District.

3. The Special Tahsildar, (Land Acquisition)
Inner Ring Road Scheme,
Door No.101/A GST Road,
Chrompet, Chennai 600 044.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 3rd respondents to pay interest at 15% p. a on the compensation amount of Rs.1,15,01,404/- (Rupees One Crore Fifteen Lakhs Four hundred and Four Only) under the Award No.5 of

1/6



W.P.No.27795 of 2022

2021 passed by he 2nd Respondent dated 22.04.2021 from the date of Award till date of payment made pursuant to the acquisition by the 1st respondent in G.O.(D) No.209, highways and Minor Ports (HW2) dated 06.09.2017 Published in Part-II, Section 2, Tamil Nadu Gazettee dated 27.09.2017 and pass orders.

For Petitioner : Mr. S. Vasudevan

For Respondents : Mr.B. Vijay
Additional Government Pleader

ORDER

By consent of both the parties this writ petition is taken up for disposal at the admission stage itself.

2. The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the 1st and 3rd respondents to pay interest at 15% p. on the compensation amount of Rs.1,15,01,404/- (Rupees One Crore Fifteen Lakhs One Thousand four hundred and Four Only) under the Award No.5 of 2021 passed by he 2nd Respondent dated 22.04.2021 from the date



W.P.No.27795 of 2022

of Award till date of payment made pursuant to the acquisition by the 1st respondent in G.O.(D) no.209, highways and Minor Ports (HW2) dated 06.09.2017 Published in Part-II, Section 2, Tamil Nadu Gazettee dated 27.09.2017 .

3. The case of the petitioners are that an award has been passed in Award No.5 of 2021 dated 22.04.2021 wherein the compensation amount of Rs. 1,1,5,01,404/- was determined to be paid for the lands acquired belonging to the petitioners and the said amount was paid to the petitioners only on 08.02.2022. Hence the petitioners claim that as the award amount has been paid belatedly they are entitled for interest at the rate of 15% from the date of award till the date of realisation and in this regard the petitioner has filed a representation before the second respondent on 13.04.2022 and the same has not been considered till date. Hence this petition.

4. The learned counsel for the petitioner submitted the authorities concerned have paid the amount after a lapse of merely one year from the date of passing of the award, hence they are entitled to interest at the rate of 15% per annum. He further submits that it would be suffice if this Court issued a direction to the second respondent to consider his representation



W.P.No.27795 of 2022

and pass orders and pass appropriate orders within a reasonable time fixed by this Court. Hence prays this Court to pass appropriate orders.

5. The learned Additional Government Pleader appearing on behalf of the respondent submitted that the petitioners representation dated 13.04.2022 will be considered by the respondent within a reasonable time fixed by this Court.

6. Heard the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

7. Considering the limited relief sought for by the petitioner this Court directs the second respondent to consider the petitioners representation dated 13.04.2022 and pass orders within a period of six weeks from the date of receipt of a copy of this order.



W.P.No.27795 of 2022

8. With the above terms, this present writ petition is disposed of. No costs. Consequently the connected miscellaneous petition is closed.

19.10.2022

Speaking Order : Yes/ No
Index : Yes/ No

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To

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2. The District Collector, Chengalpattu,
Chengalpattu District.
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M.DHANDAPANI,J.



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