



W.P.No.29848 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM:

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

W.P.No.29848 of 2022

K.Arumugam

. . . Petitioner

Vs.

1. The Special District Revenue Officer,
Chennai Peripheral Ring Road Project,
Administrative Office Building (Ground Floor),
SITCO Branch Administrative Office,
Ambattur O.T,
Chennai-600 058.

2. K.Muralidoss

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to make necessary arrangement to release 50 % of the compensation amount set apart in respect of acquisition of the property Viz., 24463 Sq.mtr land in Survey Nos.442/2C2, 444/1B, 444/2A1B, 444/2A3B, 445/2, 449/2B2, 449/3B and 465/2 in No.90 Kannigaipair (Block III) Village, Uthukottai Zone, Tiruvallur District acquired for formation of Road from Ennore Port to Mahabalipuram under Chennai Peripheral Ring Road project.



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For Petitioners : M/s.P.L.Narayanan
For Respondents : Mr.K.Karthik Jagannath
Government Advocate for R1

ORDER

The present petition has been filed seeking a direction to the 1st respondent to make necessary arrangement to release 50% of the compensation amount with regard to the subject property of this Writ Petition, which was acquired for the purpose of Road formation from Ennore Port to Mahabalipuram under Chennai Peripheral Ring Road project.

2. It is the case of the petitioner that he is the joint owner of the subject property situated in Survey Nos.442/2C2, 444/1B, 444/2A1B, 444/2A3B, 445/2, 449/2B2, 449/3B and 465/2 in No.90 Kannigaipair (Block III) Village, Uthukottai Zone, Tiruvallur District in respect of which property partition suit in O.S.No.11 of 2014 is pending. The said property was acquired by the Highways Department vide the gazette notification issued by the Principal Secretary Commissioner of Land Administration,

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Chepauk, Chennai. Such being the case, the petitioner made a representation dated 24.08.2022 to the 1st respondent, requesting to release 50% of the compensation amount in favour of the petitioner towards the subject acquisition, as the petitioner and the 2nd respondent are the joint owners of the subject property. However, till date, no action has been taken on the said representation. Hence, the present petition has been filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 1st respondent to consider the petitioner's request for release of compensation amount towards the subject acquisition, vide the representation dated 24.08.2022 within the time that may be stipulated by this Court.

4. Learned Additional Government Pleader appearing for the respondents who has no objection to the said order being passed submits that the petitioner's representation will be considered and appropriate orders will be passed on the same within a period of six weeks from the date of



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receipt of a copy of this order.

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5. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 1st respondent/Special District Revenue Officer to consider the petitioner's representation dated 24.08.2022 made by the petitioner 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 2nd respondent, within a period of Six weeks from the date of receipt of a copy of this order.

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

15.11.2022

NHS

Index : Yes / No

Internet : Yes / No



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M.DHANDAPANI, J.

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