



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.33036 OF 2019

Reena Jose

...Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Department of Land Administration,
Fort St.George.
- 2.The District Collector,
Thiruvallur District,
Thiruvallur.
- 3.The Special Deputy Tahsildar,
The Land Acquisition Officer,
For the Project of Outer Ring Road Project,
Thiruvallur District.
- 4.The Village Administrative Officer,
Attanthangal Village,
Ponneri Taluk,
Thiruvallur District.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 29.07.2019 seeking for enhanced compensation for the property viz., Bearing Plot No.26 in the layout named 'Throupathy Amman Nagar' comprised in No.138/5 of Attanthangal Village, Ponneri Taluk, Thiruvallur District measuring an extent of 1296 sq.ft acquired by the respondent for the Outer Ring Road Project.

For Petitioner	:	Mr.K.Shanmugakhani
For Respondents	:	Mr.G.Ameedius Government Advocate



ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the third respondent to consider the petitioner's representation dated 29.07.2019 for enhanced compensation for the property viz., Bearing Plot No.26 in the layout named 'Throupathy Amman Nagar' comprised in S.No.138/5, situated at Attanthangal Village, Ponneri Taluk, Thiruvallur District, ad-measuring an extent of 1296 sq.ft acquired by the respondent for the Outer Ring Road Project.

2. The petitioner purchased the house-site comprised in S.No.138/5, ad-measuring an extent of 1296 sq.ft, situated at Plot No.26, Throupathy Amman Nagar, Attanthangal Village, Ponneri Taluk, Thiruvallur District by the registered sale deed dated 18.10.2007, vide Document No.13404 of 2007. However, the said land was acquired by the third respondent for Outer Ring Road Project. A sum of Rs.7,715/- was also credited to the petitioner's Bank Account as compensation by Award No.4 of 2009. Therefore, the petitioner made a representation for enhancement of compensation under Section Land Acquisition Act, 1894 (hereinafter referred to as 'the Act' for short). It was rejected by order dated 19.06.2018 for the reason that the application should be made within a period of six months from the date of passing of the award or within a period of six weeks from the date receipt of notice under Section 12(2) of the Act. The petitioner again made a representation before the second respondent for the very same request to refer the award for enhancement of compensation.

3. The third respondent filed a counter affidavit, it reveals that after acquisition of the subject land, the petitioner was duly paid compensation of Rs.7,715/-, vide MTC 70 Sl.No.208 through ECS on 03.05.2016. After receipt of the compensation, the petitioner made the representation to forward the award for enhancement of compensation under Section 18 of the Act. It was rejected for the reason that it was made after a period of six months from the date of the award.

4. In view of the above, the claim made by the petitioner cannot be considered and the Writ Petition is devoid of merits and it is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
The State of Tamil Nadu,
Department of Land Administration,
Fort St.George.
- 2.The District Collector,
Thiruvallur District,
Thiruvallur.
- 3.The Special Deputy Tahsildar,
The Land Acquisition Officer,
For the Project of Outer Ring Road Project,
Thiruvallur District.
- 4.The Village Administrative Officer,
Attanthangal Village,
Ponneri Taluk,
Thiruvallur District.

+1cc to the Government Pleader Sr.No.5263

W.P.No.33036 of 2019

CA(CO)
RVM(14/02/2022)