



WEB COPY

WP No.19991 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.19991 of 2021

1.Gyanchand

2.P.Dineshchand

3.P.Sandeep

... Petitioners

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Special Tahsildar (Land Acquisition),
I.T.Expressway Scheme,
Tambaram Taluk Office Building,
Tambaram,
Chennai-47.

3.The Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.



4. The National Highways of India,
Sri Tower, 3rd Floor,
D P-34, SP Industrial Estate,
Guindy,
Chennai-3.

[R-4 impleaded vide order of Court dated
17.11.2021 made in WMP No.25648 of 2021
in WP 19991 of 2021]

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pay the compensation along with interest for the property duly acquired after proper determination of the compensation by the Competent Authority.

For Petitioners : Mr.P.Sunil

For Respondents-1 to 3 : Mr.P.Kumaresan,
Additional Advocate General,
Assisted by Mr.P.Sanjay Gandhi,
Government Advocate.

For Respondent-4 : Ms.S.R.Sumathy

ORDER

The relief sought for in the present writ petition is to direct the



respondents 1 to 3 to pay the compensation along with interest for the property duly acquired after proper determination of the compensation by the Competent Authority.

2. It is not in dispute that the land belonged to the petitioners was acquired for Public Projects under the State Highways Act.

3. The learned counsel for the petitioners made a submission that the compensation has been not paid to the petitioners so far, despite the fact that the land was acquired during the year 2005. Except the proceedings of the District Collector, Kancheepuram dated 30.09.2009 under Section 19(3) of the Tamil Nadu Highways Act, 2001, no further action has been taken.

4. Therefore, the respondents are directed to inform the petitioners about the status of the acquisition proceedings and settle the compensation due to the petitioners by following the procedures as contemplated.



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5. On receipt of the compensation, the petitioners are at liberty to submit an application seeking enhancement of compensation or otherwise, to redress their grievances.

6. In view of the fact that the acquisition proceedings are pending for long years, the respondents are directed to settle the compensation along with interest and other consequential benefits due to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, the present writ petition stands allowed. However, there shall be no order as to costs.

22-08-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



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S.M.SUBRAMANIAM, J.

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