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W.P.No.11139 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.11139 of 2023

S.Prakashchand

... Petitioner

Vs.

1. The District Collector,
Chengalpattu District.

2. The District Revenue Officer (Land Acquisition)
I.T. Expressway Scheme, Chengalpattu.

3. The District Revenue Officer (Land Acquisition),
I.T. Expressway Scheme, Kancheepuram.

4. Special Tashildar,
Land Acquisition (I.T. Expressway scheme)
Taluk Office Building, Tambaram 600 047.

5. The Principal Secretary To Government,
Revenue Department,
Fort St. George, Chennai - 600009.

6. The Principal Secretary To Government,
Highways and Minor Ports Department,
Fort St. George, Chennai - 600009.

... Respondents

(R5, R6 suo motu impleaded vide order dated 08.09.2023 made in
WP.11139/2023 by SMSJ)

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Mandamus, directing the respondents to



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finalise and pay the compensation Award for the acquired land owned by the petitioner for the purpose of widening of 6 lane at Old Mahabalipuram Road comprised in survey No. 1401 / 8, New Survey No. 1401/8A, under G.O. Ms. No. 43, Highway (HF1) and settle the compensation Award by depositing in the Account of the petitioner with solatium, Grant and interest from the date of acquisition till date of settlement within the stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.S.Sridhar

For Respondents : Mr.R.Raman Laal,
Additional Advocate General -IV,
assisted by
Mr.T.Arun Kumar,
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is to direct the respondents to finalise and pay compensation for the lands acquired from the petitioner for road widening project at Old Mahabalipuram Road comprised in survey No. 1401 / 8, New Survey No. 1401/8A, under G.O. Ms. No. 43, Highway (HF1) and settle the compensation Award by depositing in the Account of the petitioner with solatium, Grant and interest from the date of acquisition till date of settlement within the stipulated time fixed by this Hon'ble Court.



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2. The present writ petition is emanated from and out of the grievance raised by the petitioner that the compensation due to him has not been settled despite his efforts. It is not in dispute that the land belonged to the petitioner was acquired for road widening project by the Highways Department. Though, the compensation was determined and an award was passed, the compensation was not settled due to administrative approval from the Government.

3. The learned Additional Advocate General, appearing for the respondents, made a submission that in respect of the high value properties, administrative sanction from the Government is required. Thus, there was a delay.

4. The administrative sanctions or approvals are to be expedited in such cases where the lands from the private parties are acquired and their constitutional right of property is taken by the authority of law. Thus, this Court directed the authorities to expedite the approval and settle the compensation.



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5. In view of the directions, today the learned Additional

Government Pleader filed a compliance report which reads as under : para

“3) I respectfully submit that in obedience to the orders dated 08.09.2023 of the Hon'ble Court speedy action has been taken and Award proceedings settling (deciding) the compensation amount to the landowners including the petitioner's land Survey No.1401/8A in Thaiyur Village, Thiruporur Taluk, Chengalpattu district has been issued by the Competent Authority Special District Revenue Officer (LA), Chennai-Kanyakumari Industrial Corriddor Project, Kanchipuram in the Proceedings no.483/2023/A3 dated:11.09.2023; Further I respectfully submit that the compensation amount Rs.2,89,15,336/- (Rupees Two Crore Eighty Nine Lakhs Fifteen Thousand Three Hundred and Thirty Six only) has been decided and released to pay to the writ petitioner in the Proceedings no.483/2023/A3 dated:19.09.2023 of Special District Revenue Officer (LA), Chennai-Kanyakumari Industrial Corriddor Project, Kanchipura; has already Administrative sanction issued on concurrence of the finance department in G.O (Ms) No.43, Highways & Minor ports (HW2) Department Dtd. 14.06.2017. The above Compensation Amount of Rs.2,89,15,336/- in respect of the above land settled to the writ petitioner through ECS transaction in his account on 21.09.2023.



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4) In this connection it is most humbly submitted that at the outset the respondent has great respect to the orders in W.P.No.11139 of 2023 dated:08.09.2023 of the Hon'ble Court and I never violated or intended to violate the above orders of the Hon'ble Court. I respectfully tender my apology and purge me for the delay occurred due to administrative reasons."

6. It is brought to the notice of this Court that the compensation due to the petitioner has been settled and the learned counsel for the petitioner also acknowledged the same. The earnest efforts and the expeditious actions taken by the competent authorities of the Government in this case stands appreciated.

7. Accordingly, the writ petition stands **disposed of** . No costs.

25.09.2023

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

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