



WEB COPY



W.P.No.9767 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.9767 of 2023

1.R. Jeyalakshmi

2.R. Arivalagan

... Petitioners

Vs.

1.The District Collector,
Chengalpattu District,
Chengalpattu.

2.The Special District Revenue Officer (Land Acquisition),
Chennai Peripheral Ring Road Project Part III,
Administrative Building (Ground Floor),
SIDCO Branch Office Campus,
Ambattur Industrial Estate,
Chennai – 600 058.

3.The Special Tahsildar (Land Acquisition),
Chennai Peripheral Ring Road Project Part III,
Unit – V,
No.21/67, 3rd Cross Street,
MM Avenue,
Kancheepuram – 631 501.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent



W.P.No.9767 of 2023

herein to pass appropriate orders on the application seeking for enhancement of compensation dated 12.12.2022 in the light of the communication dated 28.12.2022 in Oo.Mu.A4/2447/2022/Se.Aa.Sa.Ti/Sengundram/Ni.A within a stipulated time.

For Petitioners : Mr.C. Prabakaran

For Respondents : Mr.P. Sathish,
Additional Government Pleader

ORDER

Mr.P. Sathish, learned Additional Government Pleader, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the first and second respondents on 12.12.2022, requesting for enhancement of compensation for the land acquired by them and for referring the matter to the Competent Authority. Subsequently, the second respondent has sent a communication dated 28.12.2022 to the third respondent, directing them to take appropriate action and forward the action taken report back to the second respondent's office. Since there was no further progress in the



W.P.No.9767 of 2023

same, the present Writ Petition has been filed.

WEB COPY

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the first respondent, to consider the petitioner's representation dated 12.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



W.P.No.9767 of 2023

M.S.RAMESH, J.

Sni

5. With the above direction, the Writ Petition stands disposed of.

No costs.

30.03.2023

Speaking/Non-speaking Order

Index: Yes/No

Neutral Citation: Yes/No

Sni

To

- 1.The District Collector,
Chengalpattu District,
Chengalpattu.
- 2.The Special District Revenue Officer (Land Acquisition),
Chennai Peripheral Ring Road Project Part III,
Administrative Building (Ground Floor),
SIDCO Branch Office Campus,
Ambattur Industrial Estate,
Chennai – 600 058.
- 3.The Special Tahsildar (Land Acquisition),
Chennai Peripheral Ring Road Project Part III,
Unit – V,
No.21/67, 3rd Cross Street,
MM Avenue,
Kancheepuram – 631 501.

W.P.No.9767 of 2023