



W.P.No.10772 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.10772 of 2023

and

W.M.P.Nos.10714, 10716, 10717 of 2023

1. P.Kasturi Bai

2. P.Santhana Mary

... Petitioners

Vs.

1. Chennai Metro Rail Ltd.,
Rep. by its Managing Director,
No.327, Anna Salai, Nandanam,
Chennai-35.

2. The District Revenue Officer (L.A),
Chennai Metro Rail Limited,
Anna Salai, Nandanam,
Chennai-35.

3. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Industries and Commerce,
Secretariat, Fort St. George,
Chennai-09.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorari, calling for the records of the



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2nd respondent pertaining to the impugned order bearing Na.Ka. 1603/
Nilam/ Se.Me. Ra.Ni/ 2022 dated 02.03.2023 and quash the same.

For Petitioners : Mr.G.Adithya Raj

For Respondents :
(for R1) : Mrs.Rita Chandrasekar
(for R2 & R3) : Mr.R.Shunmuga Sundaram, A.G.
Assisted by
Ms.A.G.Shakeenaa

ORDER

The order passed by the second respondent in proceeding dated 02.03.2023 is sought to be quashed in the present writ petition.

2.The writ petitioners state that they are the absolute owners of the property, more fully described in the present writ petition. The first respondent, Chennai Metro Rail Limited, acquired land for road expansion project and accordingly proceeded with the project. The project is in progress and at that point of time, the petitioners have filed the present writ petition.

3.The learned Advocate General appearing on behalf of the respondents 2 and 3 made a submission that the petitioners have to



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establish their title and ownership over the property and after securing the

NOC (No Objection Certificate) from the competent authorities, they are entitled to claim compensation from the first respondent. In the absence of establishing title and ownership, the authorities may not be in a position to settle the compensation to be paid.

4.The learned counsel appearing on behalf of the first respondent, Chennai Metro Rail Limited, made a submission that the authorities of the Chennai Metro Rail is in process of conducting an inquiry and the petitioners are at liberty to participate in the inquiry proceedings and establish their case. After the decision being made, if the dispute exists, then they will deposit the amount of compensation before the Registrar General, High Court of Madras, as directed by the High Court in its interim order dated 20.04.2023.

5.The learned counsel for the petitioner made a submission that the petitioners have not received any inquiry notice so far. However, the first respondent is directed to issue a fresh inquiry notice to the petitioners fixing date and time for inquiry, enabling the petitioners participate in the process of inquiry and submit their explanations, documents etc. After



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conducting inquiry, the first respondent shall take a decision and thereafter, deposit the amount as directed by this Court or in alternate, disburse the amount to the owners if they establish their right of ownership and title. In the event of depositing the compensation before the Registrar General, High Court Madras, the said amount is directed to be deposited in any one of the nationalised bank in an interest bearing deposit and while disbursing the amount, it is to be paid along with the interest to the owners.

6. With these directions, the writ petition stands **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

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

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To
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S.M.SUBRAMANIAM. J.,

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