



WEB COPY

W.P.No.125



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12534 of 2023

1.R.Prabhakaran
2.Padmavathi
3.Kaluusha
4.AnandhaNayaki
5.N.Kulasekaran

... Petitioners

Vs.

1.Land Acquisition Officer -cum-
Special Deputy Collector,
Land Acquisition Cell,
Chennai Metropolitan Development Authority,
Chennai – 600 008.

2.The Executive Officer,
Chennai Metropolitan Development Authority,
Chennai – 600 008.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to refer the dispute as per the Section 18 of the Land Acquisition Act to the competent Civil Court to enhance the compensation to the land in Old Survey Number.63/3 (New Survey Number 63/1B) to an extent of 0.17 cents (7405 Sq.ft) situated at Koyambedu Village, Egmore Nungambakkam Taluk, Chennai pursuant to the petitioner's representation dated 16.03.2022.

For Petitioners : Mr.K.Dhananjayan

For Respondents : Mr.Y.Bhuvaneshkumar (for CMDA)



ORDER

WEB COPY The relief sought for in the present Writ Petition is to direct the 1st respondent to refer the dispute as per Section 18 of the Land Acquisition Act to the competent Civil Court to enhance the compensation in respect of the land belonged to the petitioner.

2. It is not in dispute that the land belonged to the petitioners was acquired for public purposes and an award was passed and compensation was determined. The petitioners thereafter, filed an application for enhancement of compensation under Section 18 of the Land Acquisition Act and the said application is yet to be considered by the authorities for adjudication before the competent court.

3. The learned counsel for the respondents states that they have no objection in considering the application dated 16.03.2022 submitted by the writ petitioners under Section 18 of the Land Acquisition Act.

4. In view of the fact that the petitioners have already submitted an application on 16.03.2022, the respondents are directed to refer the petition filed by the petitioner before the competent court within a period of two (2) weeks from the date of receipt of a copy of this order.



5. With this direction, the Writ Petition stands disposed of. No costs.

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Index : Yes

Speaking order

Neutral Citation : Yes

To

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Special Deputy Collector,
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Chennai Metropolitan Development Authority,
Chennai – 600 008.

2.The Executive Officer,
Chennai Metropolitan Development Authority,
Chennai – 600 008.



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S.M.SUBRAMANIAM, J.

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