



WEB COPY



W.P.No.22970 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.22970 of 2023

K. Jayaram

... Petitioner

Vs.

1.The Chairman,
Railway Board, Government Of India,
New Delhi.

2. The District Collector,
Collectorate Office Ranipet,
Ranipet District.

3.The Revenue Divisional Officer,
Arakonam Division,
Ranipet District.

4. The General Manager,
Southern Railways Headquarters,
Chennai 600 003.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd, 3rd and 4th respondent to consider the petitioner's representation dated 27.02.2023 to fix the fair price to his land situated in Ranipet District, Arakonam TK, Melapakkam village to an extent of 1925 Sq. meter in S.No.84/2A2, 84/2A1, 86/1B1, 86/1C1.



WEB COPY



W.P.No.22970 of 2023

For Petitioner : Mr.S.Senthil Kumar

For Respondents :
(for R1 & R4) : Mr.Purujit Narayanan for
Mr.K.Chandrasekaran, Senior Counsel
(for R2 & R3) : Mr.T.Arun Kumar,
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the 2nd, 3rd and 4th respondent to consider the petitioner's representation dated 27.02.2023 to fix the fair price to his land situated in Ranipet District, Arakonam TK, Melapakkam village to an extent of 1925 Sq. meter in S.No.84/2A2, 84/2A1, 86/1B1, 86/1C1.

2. The relief as such sought for in the present writ petition is absolutely misconceived. By sending representation and filing a writ petition, the petitioner cannot seek a direction for fixation of fair price for his land which was already acquired by the Railways.

3. The learned counsel for the respondents 1 and 4 brought to the notice of this Court that the land belonging to the petitioner had already been acquired and possession has been taken by the Government.



W.P.No.22970 of 2023

Compensation determined by the Land Acquisition Officer was settled by following the procedures. The acquisition proceedings were concluded in the year 2010 under the Old Act.

4. That being the factum established, now the petitioner cannot submit a representation for fixation of prior fair price by the authorities. If at all the petitioner is aggrieved from and out of compensation paid, then he has to follow the procedures as contemplated under the provisions of the Act for seeking enhancement of compensation in the manner contemplated. Thus the relief as such sought for in the present writ petition cannot be considered. The petitioner is at liberty to work out his remedy in the manner known to law.

5. Accordingly, this Writ Petition stands **dismissed**. No costs.

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

30.08.2023



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S.M.SUBRAMANIAM. J.,

(sha)

To

- 1.The Chairman,
Railway Board, Government Of India,
New Delhi.
2. The District Collector,
Collectorate Office Ranipet,
Ranipet District.
- 3.The Revenue Divisional Officer,
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