



WEB COPY



W.P.No.14592 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition No.14592 of 2023
and W.M.P.No.14072 of 2023

L.Saroja @ Sarojammal

.... Petitioner

-Vs-

1. The District Collector
Thiruvallur District,
Thiruvallur – 602 001.

2. The Competent Authority &
Special District Revenue Officer (LA),
National Highways – 205,
Thiruvallur.

3. The Special Tahsildar (LA) Unit 3,
National Highways – 205,
Thiruvallur.

.... Respondents

Prayer :Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant a compensation for the super structure i.e., Rice Mill under the name and style of “M/s.Sri Balaji Rice Mill” in Survey No.761/1A3 Perumbudhur Post, Thiruvallur District, which is still undisbursed, based on the petitioner's representation dated 27.06.2022, within a time period to be stipulated by this Court.



For Petitioner : Mr.N.K.Nandakumar
For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to grant a compensation for the super structure i.e., Rice Mill under the name and style of “M/s.Sri Balaji Rice Mill” in Survey No.761/1A3 Perumbudhur Post, Thiruvallur District, which is still undisbursed, based on the petitioner's representation dated 27.06.2022.

2. Mr.C.Kathiravan, learned Special Government Pleader takes notice for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The brief facts of the case are that the petitioner is the owner of the petition mentioned property viz., Rice Mill and her husband was running the Rice mill and they are paying necessary tax. While so, the 3rd respondent, has issued a notice and passed a decree No.49 of 2011, dated 08.11.2012 stating that the land where the petitioner's Rice Mill located belongs to the Government and



the same would be acquired for the purpose of widening the National Highway NH – 205. Pursuant to the same, the 2nd respondent by his proceedings dated 14.12.2012, accorded sanction for the drawal and disbursement of net amount of Rs.9,85,703.00 out of gross amount of Rs.10,95,225/- after making necessary deductions. According to the petitioner, the respondent paid only the land value for the land and building acquired from the petitioner and no amount has been paid towards the superstructure value for the Rice Mill which is the subject matter of this petition. Hence, the petitioner has made representations before the District Collector on 27.06.2022 and to the Special Tahsildar on 16.02.2022, for claiming the superstructure value of the said Rice Mill. However, there is no response on the side of the respondents. Hence, this Writ Petition.

4. Mr.C.Kathiravan, learned Special Government Pleader submits that the petitioner's representation dated 27.06.2022 will be considered by the District Collector on merits and appropriate orders will be passed thereon within a period of six weeks.

5. Recording the said submission and also considering the limited scope of the relief sought for, without expressing any opinion on the merits of the matter,



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this Writ Petition is disposed of with a direction to the first respondent/District Collector to consider the petitioner's representation dated 27.06.2022 and pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

6. It is made clear that till the representation dated 27.06.2022 of the petitioner is disposed of, the parties are directed to maintain status quo as on today.

05.05.2023

Index : Yes/No
Speaking order / Non speaking order
vum

To

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A.D.JAGADISH CHANDIRA, J.

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