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W.P.No.15683 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.15683 of 2023
and
W.M.P.No.15174 of 2023

G.Thenmozhi

...Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Beach Road, George Town,
Chennai – 600001.

2.The District Revenue Officer,
Land Acquisition Cell,
No.76, Sardar Patel Road,
HRS Campus, Highways Department,
Guindy, Chennai – 600025.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, forbearing the respondents in evicting the petitioner from No.7, Velachery Main Road in Survey No.587/1B1 of Narayanapuram Village, Pallikaranai, Chennai for the Tambaram – Velachery Main Road without including the petitioner name in the land acquisition by considering the representation of the petitioner dated 24.04.2023.

1/5



W.P.No.15683 of 2023

For Petitioner : Mr.A.Sundara Vadhanan
For Respondents : Ms.R.Anitha
Special Government Pleader

ORDER

This Writ Petition has been filed in the nature of mandamus forbearing the respondents from evicting the petitioner from No.7, Velachery Main Road in Survey No.587/1B1 of Narayanapuram Village, Pallikaranai, Chennai which had been acquired for the Tambaram – Velachery Main Road.

2.The said relief cannot be granted. The petitioner will necessarily have to handover possession for acquisition purpose. However, the only relief which can be granted to the petitioner is that, the 2nd respondent while determining the compensation, may pay the compensation to the petitioner after issuing notice to the petitioner and also to the Vendor of the petitioner namely, Jayaraman who had conveyed the property to the petitioner herein for adequate consideration in the year 1985 itself.



W.P.No.15683 of 2023

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3.If the 2nd respondent is satisfied that the petitioner is the owner of the property as on date, the compensation shall be paid to the petitioner. The petitioner may give a further representation to the 2nd respondent asserting title to the property and enclosing documents relating to title of the property.

4.With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

18.05.2023

kkn/smv

Internet:Yes/No

Index:Yes/No

Speaking/Non-speaking order

Nuetral Citation : Yes/No



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C.V.KARTHIKEYAN, J.

KKN/SMV

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