



WEB COPY

WP No.18296 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-06-2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.18296 of 2021

And

WMP Nos.19529 and 19530 of 2021

V.Kalarani

... Petitioner

Vs.

- 1.The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai-600 009.
- 2.The District Collector,
Singaravelar Maaligai,
Chennai-600 001.
- 3.The Special Tahsildar (Land Acquisition),
Mass Rapid Transit System – Phase II Extension,
Now at CMDA Building (G7),
Egmore,
Chennai-600 008.
- 4.The Deputy Chief Engineer-I,
Metropolitan Transport Project (Railway-I),
Southern Railway,



Mylapore,
Chennai-600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents, their men, servants or agents or anyone claiming under them from interfering with the petitioner's peaceful possession and enjoyment of the superstructure or demolishing the superstructure put up by the petitioner in the extent of 1060 sq. ft., of land belonging to her in New Survey No.66/1, Part, New Subdivision No.3/8/2, Plot No.2B Adambakkam Village, Alandur Municipality, Now Chennai District, except by due process of law as per directions in order dated 09.02.2005 in WP No.30821 of 2014 on the file of this Court.

For Petitioner : Mr.D.Shivakumaran

For Respondents-1 to 3 : Mr.T.Arunkumar,
Additional Government Pleader.

For Respondent-4 : Mr.P.T.Ramkumar,
Standing Counsel for Railways.

ORDER

The relief sought for in the present writ petition is to forbear the respondents, their men, servants or agents or anyone claiming under them from interfering with the petitioner's peaceful possession and



enjoyment of the superstructure or demolishing the superstructure put up by the petitioner in the extent of 1060 sq. ft., of land belonging to her in New Survey No.66/1, Part, New Subdivision No.3/8/2, Plot No.2B Adambakkam Village, Alandur Municipality, Now Chennai District, except by due process of law as per directions in order dated 09.02.2005 in WP No.30821 of 2014 on the file of this Court.

2. The petitioner states that she is the absolute owner of the property more fully described in the present writ petition. The land acquisition proceedings are initiated for Mass Rapid Transit System (MRTS)-Phase II Extension.

3. The grievance of the petitioner is that the due process of law had not been followed. However, the learned counsel for the petitioner now made a submission that the Authorities have determined the compensation to be settled in favour of the petitioner and accordingly a sum of Rs.1,13,38,041/- has been paid to the petitioner today i.e., on 22.06.2023.

4. The learned Additional Government Pleader appearing on



behalf of the respondents-1 to 3 furnished the copy of the Indian Bank Cheque for a sum of Rs.1,13,38,041/-, which is acknowledged by the petitioner.

5. In lieu of the receipt of compensation, the learned counsel for the petitioner states that possession will be handed over to the respondents-Authorities by the petitioner, within a period of 15 days from today. The rest of the issues if any exist between the parties, then the respondents-Authorities are at liberty to adjudicate the same in the manner contemplated under the provisions of the Act and the Rules. The learned counsel for the petitioner states that the petitioner has received the compensation with protest.

6. With the above liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

22-06-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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S.M.SUBRAMANIAM, J.

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