



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18892 of 2023

Mrs.Gomathy

...Petitioner

Vs

1.The District Collector,
Chengalput District,
Chengalput.

2.The Special Tahsilar (Land Acquisition)
Broadguage Railway Line Project,
Madurantakam.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider the Petitioner's representation dated 26.09.2022.

For Petitioner : Mr.K.V.Babu

For Respondents : Mr.D.Ravichander
Special Government Pleader



ORDER

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This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to consider the representation made by the petitioner on 26.09.2022, wherein, the petitioner has sought for enhancement of compensation in terms of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after called as “Act”)

2.Heard Mr.K.V.Babu, learned counsel appearing on behalf of the petitioner and Mr.D.Ravichander, learned Special Government Pleader appearing on behalf of the respondents.

3.The respondents had initiated acquisition proceedings and the property belonging to the petitioner was also acquired. Initially an interim compensation was fixed by an order dated 30.06.2014 by the 2nd respondent. The interim compensation was also paid to the petitioner. Ultimately, the final amount was fixed through Award dated 12.10.2021 and this Award came to be passed by the 1st respondent.

4.The further case of the petitioner is that the petitioner had raised objection and in the meantime, the 1st respondent had fixed an enhanced compensation for the



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neighboring lands through proceedings dated 12.10.2021. This came to the knowledge of the petitioner when it was communicated on 11.08.2022. Immediately, the petitioner gave a representation dated 26.09.2022 to the 1st respondent seeking for the refixation of the compensation in terms of Section 64 of the Act. Since the same was not considered, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to deal with the representation made by the petitioner on 26.09.2022 on its own merits and in accordance with law and A final order shall be passed by the 1st respondent, within a period of three months from the date of receipt of copy of this order.

6.This writ petition is disposed of in the above terms. No Costs.

27.06.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
ssr



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N.ANAND VENKATESH, J

SSR

To

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