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W.P.No.19925 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19925 of 2023

V.K.C.Jayamohan

... Petitioner

Vs.

1.The District Collector,
Chengalpet District,
Chengalpet.

2.The District Revenue Officer,
Chengalpet District,
Chengalpet.

3.The Revenue Divisional Officer,
Tambaram, Chennai.

4.The Tahsildar,
Tambaram Taluk,
Tambaram, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to settle the computation and loss amount of Rs 7,67,04,000/- (Rupees seven crores sixty seven lakhs and four thousand only) (for three years only) for the acquired property in T.S. No 2620/1 Block No. 54 situated at Mylapore Town and



Taluk, Madras extent 581 sq.ft. by considering the representation made by the petitioner on 18.05.2023 within the time to be stipulated by this Court.

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For Petitioner : Mr.R.Chandrasekaran

For Respondents 1 to 4 : Mr.C.Jayaprakash
Government Advocate

(For CMRL : Mrs.Rita Chandrasekar)

ORDER

The relief sought for in the present writ petition is to direct the respondent to settle the computation and loss amount of Rs 7,67,04,000/- (Rupees seven crores sixty seven lakhs and four thousand only) (for three years only) for the acquired property in T.S. No 2620/1, Block No. 54 situated at Mylapore Town and Taluk, Madras extent 581 sq.ft. by considering the representation made by the petitioner on 18.05.2023 within the time to be stipulated by this Court.

2. The petitioner states that he is residing in the property at No.81/40 Mylapore, Kutchery Road, Chennai, which has been acquired for Chennai Metro Rail Project. The front portion of the land and building in the said property is unable to be utilised on account of the acquisition of the balance



portion of the property. The petitioner has calculated the compensation as Rs.7,67,04,000/-, since the authorities have not considered the said compensation as claimed by the petitioner, the present writ petition has been filed.

3. The learned counsel appearing for the Chennai Metro Rail Limited made a submission that the authorities have determined the compensation by following the procedures as contemplated under the Right to Fair Compensation Act, 2013. The compensation was quantified as Rs.3,42,26,009/- and an award has already been passed. The amount has been deposited before the City Civil Court. The authorities have determined the compensation in accordance with the New Act of the year 2013 and if at all any grievance exists for the petitioner, he has to approach the competent forum under the provisions of the Act seeking enhancement or otherwise.

4. The learned counsel appearing for the Chennai Metro Rail Limited made a submission that the petitioner along his persons are unnecessarily preventing the authorities from carrying out the project.



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5. The learned counsel for the petitioner made a submission that the petitioner is not making any such obstructions and he has no objection for the purpose of proceeding with the Chennai Metro Rail Project.

6. Since the land has already been acquired and award has been passed, the acquired land absolutely vests with the Government which is now allotted for CMRL project and therefore, there is no impediment for the Chennai Metro Rail authorities to continue with the project in the acquired land.

7. With these clarifications, the writ petition stands disposed of. No costs.

10.08.2023

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Index : Yes
Speaking order



To

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S.M.SUBRAMANIAM, J.

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