



W.P.No.21012 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21012 of 2023
and
W.M.P.No.20381 of 2023

Axles India Limited,
Represented by its Managing Director,
Mr.V.Madhavanm M/55yrs,
S/o.Late.S.Varadharajan,
Singaperumal Kovil Road,
Sriperumbudur,
Kancheepuram District – 602 105.

... Petitioner

Vs.

- 1.The District Collector,
Kancheepuram District,
Kancheepuram – 631 501.
- 2.The Special District Revenue Officer (LA),
Chennai Peripheral Ring Road Project,
SIDCO Administrative Officer Block,
Ambattur Industrial Estate,
Chennai – 56.



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3.The Special Tahsildhar (LA),
No.21/67, 3rd Cross Street,
Munusamy Mudaliar Avenue,
Chennai Peripheral Ring Road Project,
Kanchipuram – 631 501.

4.The Inspector General of Registration,
Santhome High Road,
R.A.Puram,
Chennai – 600 028.

5.The District Registrar,
No.10, Kancheepuram High Road,
Chengalpattu – 603 002.

6.The Sub-Registrar,
Sriperumbudur Sub-Register Office,
Ramanujar Nagar, Sriperumbudur – 602 105.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 4 to 6 to determine the market value of the petitioner company's property comprised in Survey Nos.1562B/2B, 1562B/3B & 1562B/4B as per the street value provided by the 6th respondent.

For Petitioner : Mr.K.Murugan

For Respondents : Mr.P.Sanjay Gandhi,
Government Advocate



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ORDER

The relief sought for in the present writ petition is direct the respondents 4 to 6 to determine the market value of the petitioner company's property comprised in Survey Nos.1562B/2B, 1562B/3B & 1562B/4B as per the street value provided by the 6th respondent.

2. The petitioner has pre-determined the issue regarding the fixation of guideline value. The learned counsel for the petitioner approached the authorities that the land belonging to the petitioner is sought to be acquired and the acquisition proceedings are in progress. Once the acquisition proceedings commenced, the authority competent has to determine the compensation to be settled in favour of the land losers. Various factors are to be taken into consideration, while determining the compensation to be paid to the land losers. While so, submitting a representation in advance would cause prejudice to the interest of public administration and the authorities may not be in a position to consider various factors at the time of determining the compensation. In the event of any differences, the parties will show the letter issued in advance and cite contradictions. Therefore, such representation sent with an idea to fix the



authorities in the matter of fixation of guideline value, at no circumstances be encouraged by the High Court.

3. While determining the compensation, various components and factors are to be taken into consideration and accordingly, it is to be fixed in accordance with the provisions of the acquisition laws. Only after fixing the compensation, the person aggrieved may approach the authority for fixation of enhancement of compensation or approach the Court concerned thereafter. When the procedures are contemplated even for seeking enhancement of compensation, sending a representation in advance and attempting to fix the authority regarding guidelines value cannot be appreciated by this Court and such procedures, if allowed by the Court would cause inconvenience to the public administration.

4. Merely directing the authorities to consider the representation would do no service to the cause of justice. The litigants will be back again to the High Court with another writ petition. Therefore, such writ petition filed with an apprehension or in advance to fix the authorities in the matter of fixing of guidelines or otherwise in acquisition proceedings is not entertainable.



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5. Once an award is passed by the competent authority and the compensation determined is inadequate as improper, then alone the aggrieved person would get an opportunity to file an application for enhancement of compensation or otherwise.

6. Therefore, the petitioner is at liberty to pursue the remedy in the manner contemplated under the Land Acquisition laws and the present direction sought for is not entertainable.

7. Accordingly, the writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs

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Index : Yes

Speaking order

Neutral Citation : Yes



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S.M.SUBRAMANIAM, J.

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