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W.P.No.23843 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23843 of 2023 &
W.M.P.No.23359 of 2023

G.Maheshwari

...Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Kancheepuram District.

2.The Special District Revenue Officer (Land Acquisition),
O/o. Special District Revenue Officer (Land Acquisition),
Chennai border Scheme Division III,
SIDCO branch office,
Ambattur Industrial Estate,
Chennai – 600 058.

3.The Special Tahsildar (Land Acquisition),
Chennai Border Scheme, Unit – 5,
Kancheepuram.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records in the order in Na.Ka.No. A5/ 65/ 2019/ Mannur/ SAST/ Alagu- V dated 21.02.2022 on the file of the 2nd respondent and quash the same as



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arbitrary, unreasonable and direct the 2nd respondent to redetermine and fix the petitioner's land value at rate of Rs. 507.73 sq.ft situated in S.No. 643/1A4A2 on par with the land value fixed for the land situated in S.No. 625 , which is just opposite to the petitioner's land

For Petitioner : Dr.A.Thiyagarajan, Senior Counsel,
for Mr.S.Aravind Raj

For Respondents : Mr.D.Ravichander,
Special Government Pleader

ORDER

The order dated 21.02.2022 issued by the Special District Revenue Officer, Chennai is under challenge in the present writ petition.

2. The petitioner states that she is the absolute owner of the property bearing plot No.D-4 part situated in S.No.643/1A4A2 part, new No.673/10 in Mannur Village, Sriperumbudur Taluk, Kancheepuram District, admeasuring to the extent of 2755 sq. ft. and the said property was purchased by the petitioner vide sale deed dated 22.03.2012. The property belonging to the petitioner is sought to be acquired for expansion of Chennai Border (peripheral) Road Scheme. The acquisition proceedings commenced and the petitioner submitted her objections. Admittedly, the award is yet to be passed. Meanwhile, the District Revenue Officer,



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Ambattur issued the proceedings dated 21.02.2022 asking the Special Tahsildar, Kancheepuram to calculate the market value of the land and submit a proposal to the competent authority.

3. The learned Senior Counsel appearing on behalf of the writ petitioner mainly contended that before completing the process and even before passing of the award, the quantum of compensation was determined erroneously by the competent authority. Therefore the petitioner is constrained to move the present writ petition.

4. Even in case, where the determination of compensation was erroneously made by the authority, and on receipt of proposal from the Special Tahsildar, Kancheepuram pursuant to the directions issued by the District Revenue Officer, Chennai, the same may be modified or just compensation may be determined by the competent authority, taking into consideration the facts and circumstances and the objections if any submitted by the writ petitioner.



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5. The order impugned is an internal communication between the Special District Revenue Officer and the Special Tahsildar, Land Acquisition, Kancheepuram and the said communication would not provide cause, since the award is yet to be passed by the competent authorities.

6. The Special Tahsildar concerned shall submit a proposal based on the orders passed by the District Revenue Officer and thereafter, the quantum of compensation is to be determined in accordance with the procedures contemplated. Thus, the respondents are directed to complete the said exercise as expeditiously as possible.

7. With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.08.2023

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Index: Yes
Speaking Order

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S.M.SUBRAMANIAM, J.

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