



WEB COPY

W.P.Nos.26550 & 26552 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.26550 & 26552 of 2023

Augusta Sobitha Kumar

...Petitioner in W.P.No.26550/23

M/s.Woods India Negotiations,
Rep. by Managing Partner
Mr.M.Sobitha Kumar,
S1, S2, Rajini Loika Aloka Apartments,
No.566/920, Poonamallee High Road,
Arumbakkam, Chennai - 600 106.

...Petitioner in W.P.No.26552/23

Vs

1.The District Revenue Officer (Land Acquisition),
Chennai Metro Rail Limited,
Nandanam, Chennai - 600 035.

2.The Chief Manager,
Chennai Metro Rail Limited,
No.327, Anna Salai, Nandanam,
Chennai - 600 035.

...Respondents in both WPs

Prayer in W.P.No.26550 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 04.07.2023 and fix the compensation only to the owners of 4731 sq.ft.



bearing Door No.55, Arcot Road, New No.97, N.S.K.Salai, Kodambakkam, Chennai - 600 024.

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Prayer in W.P.No.26552 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representations of the petitioner dated 05.07.2023 and 12.07.2023 and fix the compensation only to the owners of 4731 sq.ft. bearing Door No.55, Arcot Road, New No.97, N.S.K.Salai, Kodambakkam, Chennai - 600 024.

For Petitioners : Mr.T.V.Vineeth Kumar

For Respondents : Mrs.Rita Chandrasekar

COMMON ORDER

The relief sought for in the present writ petition is to direct the 1st respondent to consider the representations of the petitioners dated 04.07.2023, 05.07.2023 and 12.07.2023 and fix the compensation only the the owners of 4731 sq.ft bearing Door No.55, Arcot Road, New No.97, N.S.K. Salai, Kodambakkam, Chennai – 600024.

2. It is not in dispute that the land belonged to the petitioners was acquired for the purpose of Chennai Metro Rail Project. The Acquisition



proceedings commenced and the award is yet to be passed by the competent authority. The grievance of the writ petitioners is that the adjacent lands are also taken and compensation has been paid to those owners and the petitioners are deprived of fair compensation.

3. The learned counsel appearing on behalf of the Chennai Metro Rail Limited raised an objection by stating that the land belonged to the petitioners was acquired and the authorities are in the process of determining the compensation, since private negotiation has failed. On determination of compensation, an award will be passed and the petitioners are at liberty to participate in the award proceedings and raise objections, if any, for the purpose of considering the same by the competent authorities.

4. In view of the said submission, the petitioners are at liberty to participate in the award proceedings and file their objections regarding quantum of compensation to be settled. The authorities shall consider the objections in accordance with the procedure contemplated under the Land Acquisition Act and pass an award without causing any undue delay. Thereafter, if the petitioners are aggrieved, they are at liberty to seek



enhancement of compensation in the manner contemplated under the Act.

However, the present writ petitions, at this stage, are premature and thus not entertainable.

5. Accordingly, the Writ Petitions stand dismissed. No costs.

11.09.2023

Index: Yes
Speaking order
Neutral Citation: Yes/No
veda/hvk

To

1. The District Revenue Officer (Land Acquisition),
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2. The Chief Manager,
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S.M.SUBRAMANIAM, J.

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