



WEB COPY

W.P. No.31444 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.31444 of 2023

and

W.M.P. No.31056 of 2023

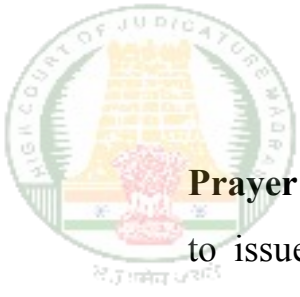
S.Selvam

... Petitioner

Vs.

1. The District Collector (Chennai)
Rajaji Salai, Fourth Floor,
No.62, Beach Road,
George Town, Chennai - 600 001
2. The Special Tahsildar (Land Acquisition), Zone-5
Tamil Nadu Housing Board
CMDA Campus
Koyambedu, Chennai - 600 107
3. The Tahsildar
Sholinganallur
No.1, 1st Cross Street
New Kumaran Nagar
Sholinganallur
Tamil Nadu - 600 119
4. The Assistant Executive Engineer
Tamil Nadu Housing Board
CMDA Campus
E & C Market Road,
Koyambedu
Chennai - 600 107

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the 2nd respondent to return back petitioners property morefully described in the schedule herein, in a lawful manner, if it is not used for the purpose for which it was acquired OR in the alternative, provide the petitioner (age old senior citizen), a just compensation by way of damages for causing serious financial loss and mental trauma due to the dereliction of duty committed by all the respondents in violation of the natural justice principle, apart from making proper payment for acquiring the petitioner's property for which a meagre money in a sum of Rs.42,124.45/- which was alleged to have been deposited by the 2nd respondent.

For Petitioner : Mrs.K.Subhashini for
Chennai Law Associates

For R1 and R3 : Mr.P.Gurunathan
Additional Government Pleader

For R2 and R4 : Mr.A.M.Ravindranath
Standing Counsel for TNHB

ORDER

The writ petition is filed seeking to issue a writ of mandamus directing the 2nd respondent to return back petitioners property morefully



described in the schedule attached to the writ petition, in a lawful manner, if it is not used for the purpose for which it was acquired, or in the alternative, provide the petitioner (age old senior citizen), a just compensation by way of damages for causing serious financial loss and mental trauma due to the dereliction of duty committed by all the respondents in violation of the natural justice principles, apart from making proper payment for acquiring the petitioner's property for which a meagre sum of Rs.42,124.45/- was alleged to have been deposited by the 2nd respondent.

2. Despite sufficient opportunity having been given, the respondents have not filed counter affidavit, which shows the lethargic attitude on the part of the Government Officials.

3. Considering the limited prayer sought for by the petitioner, the respondents are directed to give notice to the petitioner and also interested parties/rival claimants and Tamil Nadu Housing Board and all the parties and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, in regard to the prayer sought for in this Writ Petition, within a period of 2 months from the date of receipt of a copy



of this order.

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4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, W.M.P. is closed.

01.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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W.P. No.31444 of 20



To

1. The District Revenue Officer
Perambalur
Perambalur District

2. The Tahsildar
Perambalur
Perambalur District



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P.VELMURUGAN. J.

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W.P. No.31444 of 2023

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