



W.P.(MD) No.21402 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD) No.21402 of 2021

R.Chandramohan
S/o.Maruthammbal

... Petitioner

Vs.

1.The President,
Grievance Redressal Committee,
Chennai to Kanyakumari Industrial
Corridor Project [CKICP],
Kumbakonam, Thanjavur District.

2.Special District Revenue Officer
[Land Acquisition],
Chennai to Kanyakumari Industrial
Corridor Project [CKICP],
Kumbakonam, Thanjavur District.

3.The Divisional Engineer,
Highways, Thanjavur District.
Chennai to Kanyakumari Industrial
Corridor Project [CKICP],
Kumbakonam, Thanjavur District.

4.The Special Thasildar [Land Acquisition],
Chennai to Kanyakumari Industrial
Corridor Project [CKICP],
Kumbakonam, Thanjavur District,
Kumbakonam Taluk,
Thanjavur District.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to pay an additional compensation of 25% i.e. Rs.1,34,409/- with 18% interest for the land with building from the extent of 24 Square Meter of property from the petitioner's patta No.273, Survey No.164/1A3 in Maruthanallur Village, Kumbakonam Taluk, Thanjavur for the Chennai to Kanyakumari Industrial Corridor Project, [CKICP] Kumbakonam as per G.O.Ms.No.195, Highways (6) Small Ports Department [HS2] dated 26.11.2019 within the stipulated period fixed by this Court.

For Petitioner : Mr.R.Rajaraman

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents to pay the additional compensation of 25% together with interest at the rate of 18% per annum for the property that was acquired from the petitioner through negotiation under the Tamil Nadu State Highways Act, 2001.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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3. The case of the petitioner is that he was the owner of the subject property and the second respondent had issued a Notification under the Tamil Nadu State Highways Act, 2001 for acquisition of land. The petitioner had participated in the negotiation talks and he accepted for the compensation fixed. The grievance of the petitioner is that he has to be paid 125% as compensation and whereas, he was paid 100% of the compensation amount and remaining 25% has not been paid to the petitioner. Therefore, the petitioner has approached this Court for a direction to the respondents to pay the remaining 25% of the compensation together with interest.

4. The second respondent has filed the counter affidavit. The second respondent has taken a stand that at the time of enquiry, the petitioner has stated that he was not willing to give the land to the Government. In view of the same, the balance 25% of the compensation was not given to the petitioner.

5. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the lands had already been acquired and



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that the petitioner is not inclined to make any resistance and that he is willing to receive the balance 25% without making any further claim over the property.

6. In the light of the above submissions, there shall be a direction to the petitioner to make a fresh representation before the second respondent by categorically stating that he is not inclined to raise any dispute and make any claim over the property. On receipt of the same, the second respondent shall pay the balance 25% of the compensation to the petitioner. This process shall be completed within a period of 6 weeks from the date of receipt of a fresh representation from the petitioner.

7. This Writ Petition is disposed of in the above terms. There shall be no order as to costs.

20.11.2023

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Index: Yes/ No
Neutral Citation: Yes / No
Speaking order / Non-Speaking order

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N.ANAND VENKATESH, J.

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