



W.P.Nos.284, 287 & 288 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.Nos.284, 287 & 288 of 2024

W.P.No.288 of 2024

V.Ramalingam

... Petitioner

Vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. Tamil Nadu Housing Board,
rep. By its Managing Director,
Nandanam, Chennai – 600 035.
3. The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board Scheme,
C.M.D.A. Building,
Koyambedu,
Chennai – 600 107.

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to



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pay the additional compensation of Rs.6,000/- per cent along with accrued interest payable for the lands acquired comprised in Survey Nos.721/2A, 721/2B, 721/4, 722/1A1, 722/1A2, 724/2 and 724/3 altogether measuring an extent of 0.96 ares=238.355 cents situated at Kuthampakkam Village, Thiruvallur District covered in L.A.O.P.No.168 of 2004.

For Petitioner	: Mr.K.Premkumar
For R1 & R3	: Mrs.V.Yamunadevi Special Government Pleader
For R2	: Mr.D.Veerasekaran, SC for TNHB

W.P.No.284 of 2024

S.Rani

... Petitioner

Vs.

1. The District Collector,
Kanchipuram District,
District Collector Office,
First Floor, Thaiyar Kulam,
Kanchipuram District 631 501.
2. The Tahsildar,
Kundrathur Taluk,
Kundrathur Taluk Office,
Kundrathur Main Road,
Subramania Nagar,
Thandalam,



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Kundrathur – 600 069.

...

Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Directing the respondents to pay the due compensation to the petitioner in respect of the Acquisition of the Land namely Vacant Land bearing Plot No. 177/A Kanniyamman Nagar comprised in S.No. 659/3 measuring to an extent of 5400 sq.ft. (500 sq. mts) as per Patta survey no. 659/7 after sub-Division situated at Kundrathur Village Sriperumbudur Taluk now Kanchipuram District (erstwhile Chengai MGR District) along with interest at the rate of 12 percentage p.a. from the date of actual taking over the possession of the land till the date of payment within the time fixed by this Honourable Court.

For Petitioner : Mr.K.Premkumar

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader



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W.P.No.287 of 2024

A.Umameshwari

... Petitioner

Vs.

1. The District Collector,
Kanchipuram District,
District Collector Office,
First Floor, Thaiyar Kulam,
Kanchipuram District 631 501.

2. The Tahsildar,
Kundrathur Taluk,
Kundrathur Taluk Office,
Kundrathur Main Road,
Subramania Nagar,
Thandalam,
Kundrathur – 600 069.

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Directing the respondents to pay the due compensation to the petitioner in respect of the Acquisition of the Land namely Vacant Land bearing Plot No. 177/A Kanniyamman Nagar comprised in S.No. 659/3 measuring to an extent of 5400 sq.ft. (500 sq.



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mts) as per Patta survey no. 659/7 after sub-Division situated at Kundrathur Village Sriperumbudur Taluk now Kanchipuram District (erstwhile Chengai MGR District) along with interest at the rate of 12 percentage p.a. from the date of actual taking over the possession of the land till the date of payment within the time fixed by this Honourable Court.

For Petitioner : Mr.K.Premkumar

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader

COMMON ORDER

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The Writ Petitions have been filed to issue a Writ of Mandamus, directing the respondents to pay the due compensation to the petitioners in respect of the Acquisition of the Land namely Vacant Land bearing Plot No. 177/A Kanniyamman Nagar comprised in S.No. 659/3 measuring an extent of 5400 sq.ft. (500 sq.mts) as per Patta Survey No. 659/7 after sub-Division situated at Kundrathur Village Sriperumbudur Taluk now Kanchipuram District (erstwhile Chengai MGR District)



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along with interest at the rate of 12 percentage p.a. from the date of actual taking over the possession of the land till the date of payment.

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

3. Learned counsel for the petitioners submitted that the first respondent initiated acquisition proceedings in respect of various lands including the petitioners' property in order to widen the Adayar River. The respondents have neither issued notice to the petitioners nor conducted enquiry. Though the respondents have taken over the possession of the subject property to widen the said water canal, they have not disbursed award amount/compensation amount to the petitioners till now.

4. Learned Special Government Pleader appearing for the respondents submitted that they are proceeding with official procedures in order to fix the value of the land and seeks time to complete the same.



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5. Admittedly the Government Project was implemented in the year 2022 itself. Acquisition of the land by the respondents, ownership of the property and the entitlement of the petitioners are all not in dispute. Hence, this Court directs the respondents to complete all the procedures and disburse the award amount to the petitioners in accordance with law.

6. With the abovesaid direction, the Writ Petitions are disposed of. There shall be no order as to costs.

7. List the matter on 25.03.2024 for reporting compliance.

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8. This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents 2 and 3 to pay the additional compensation of Rs.6,000/- per cent along with accrued interest payable for the land acquired comprised in Survey Nos.721/2A, 721/2B, 721/4, 722/1A1, 722/1A2, 724/2 and 724/3 altogether measuring an extent of 0.96 ares=238.355 cents situated at Kuthampakkam Village, Thiruvallur



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District covered in L.A.O.P.No.168 of 2004.

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9. Learned counsel for the petitioner submitted that the respondents deposited the award amount before the Tribunal in L.A.O.P.No.168 of 2004. The matter was referred to Lok adalat on 12.07.2023 and all other legal heirs have also given consent letter in favour of the petitioner to receive the award amount and the matter was settled. Subsequently award was enhanced to Rs.6,000/- per cent. Since the enhanced amount neither paid directly to the petitioner nor deposited before the Land Acquisition Tribunal/Civil Court, the petitioner has filed the present writ petition.

10. Learned Special Government Pleader appearing for the respondents submitted that they ready to deposit the award amount within the stipulated time.

11. Considering the facts and circumstances and there is no dispute regarding the entitlement of the petitioner, the respondents are



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directed to complete all the procedures and to pay the compensation amount either directly to the petitioner or deposit the same before the concerned Tribunal /Civil Court after intimating the same to the petitioner in accordance with law. The abovesaid exercise shall be completed within a period of two months ie., on or before 22.03.2024.

12. With the abovesaid direction, the Writ petition is disposed of.

There shall be no order as to costs.

13. List the matter on 25.03.2024, for reporting compliance.

08.01.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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Thiruvallur District,
Thiruvallur.
2. Tamil Nadu Housing Board,
rep. By its Managing Director,
Nandanam, Chennai – 600 035.
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Kundrathur Taluk,
Kundrathur Taluk Office,



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Kundrathur Main Road,
Subramania Nagar,
Thandalam,
Kundrathur – 600 069.



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P.VELMURUGAN, J.

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