



WEB COPY



W.P.No. 5211 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 5211 of 2024

L.Dharmichand

... Petitioner

versus

1. The Land Acquisition Officer-cum-
District Collector, Chengalpattu,
District Collectorate Office,
GST Road, Chengalpattu – 603 001.

2. The Divisional Engineer, Highways,
Maintenance & Construction,
GST Road, Opp.to Govt.Medical College Hospital,
Chengalpattu – 603 001.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pay the enhanced compensation to the writ petitioner with all other benefits in the light of the decree and judgment dated 30.09.2021 passed by the Additional Subordinate Judge Court, Chengalpattu in LAOP.No.3 of 2019 by disposing of the writ petitioner's representation letter dated 03.08.2023 and confirming the lower Court enhanced compensation of Rs.10,000/- per sq.mts as per

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order of this Court in CRP.No.2215 of 2022, dated 16.09.2022 by disposing of the petitioner's representation letter dated 03.08.2023.

For Petitioner : Mr.J.Ram
For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

Mr.S.J.Mohamed Sathik, learned Government Advocate accepts notice for the respondents. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondents to consider the representation of the petitioner dated 03.08.2023, in and by which, the petitioner sought to pay the enhanced compensation of Rs.10,000/- per sq.mts, with all other benefits in the light of the decree and judgment dated 30.09.2021 passed by the learned Additional Subordinate Judge, Chengalpattu in LAOP.No.3 of 2019, which was confirmed by this Court in CRP.No.2215 of 2022, dated 16.09.2022.

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3. The learned counsel for the petitioner submitted that the petitioner has given a representation to the respondents on 03.08.2023, seeking to pay the enhanced compensation with all other benefits in respect of his acquired lands, in the light of the decree and judgment dated 30.09.2021 on the file of the Additional Subordinate Court, Chengalpattu in LAOP.No.3 of 2019. The learned counsel for the petitioner further submitted that since C.R.P.No.2215 of 2022, etc., batch are pending before this Court, as against the order in LAOP.No.3 of 2019, the respondents have not considered the representation of the writ petitioner. Though the said Civil Revision Petitions are disposed of as early as on 16.09.2022, this Court may direct the respondents to consider the petitioner's representation dated 03.08.2023.

4. The learned Additional Government Pleader appearing for respondents submits that the representation of the petitioner would be considered in accordance with law by the authority concerned.

5. Heard both sides and perused the materials available on record.

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6. Since this writ petition is filed for Mandamus simpliciter, to direct the respondents to consider the representation of the petitioner, this Court, without expressing any view or opinion with regard to the merits of the case, directs the respondents to consider the representation of the petitioner dated 03.08.2023, after giving notice to the petitioner as well as interested parties if any, after conducting enquiry into the matter and pass appropriate orders on merits and in accordance with law. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. However, there shall be no order as to costs.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

1. The Land Acquisition Officer-cum-District Collector, Chengalpattu, District Collectorate Office, GST Road, Chengalpattu – 603 001.

2. The Divisional Engineer, Highways, Maintenance & Construction, GST Road, Opp.to Govt.Medical College Hospital, Chengalpattu – 603 001.



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P.VELMURUGAN, J.

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