



WEB COPY

W.P. No.7254 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P. No.7254 of 2024

G.Shanthi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
The Revenue Department,
Fort St. George,
Chennai – 600 009.
2. The District Collector,
Chennai District Collectorate,
“Ma Singaravelar Maligai”,
Rajaji Salai,
Chennai – 600 001.
3. The Special District Revenue Officer
(Land Acquisition),
Highways Department,
Metropolitan Wing,
Alandur,
Chennai – 600 016.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to
issue a writ of Mandamus directing the 1st and 2nd respondents herein to refer



the Petitioner's claim to the concerned authority for determination of appropriate compensation for acquisition of the Petitioner's Property at No.2/553, Sandeep Avenue 1st Street, Neelankarai, Chennai – 600 115, comprised in Survey No.67/2JIA3, measuring an extent of 40 sq.mts (430.56 sq.ft) by fixing a time frame for determination and disposal of the petitioner's claim for higher compensation before the Authority Constituted, in view of the petitioner's representations dated 06.04.2023 and 24.04.2023 in accordance with law.

For Petitioner : Mr.J.Ashok
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader 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 issue a writ of Mandamus directing respondents 1 and 2 herein to refer the petitioner's claim to the concerned authority for determination of appropriate compensation for acquisition of the petitioner's property at No.2/553, Sandeep Avenue 1st Street, Neelankarai, Chennai – 600 115, comprised in Survey No.67/2JIA3, measuring an extent of 40 sq.mts (430.56



sq.ft) by fixing a time frame for determination and dispose of the petitioner's claim for higher compensation before the Authority Constituted, in view of the petitioner's representations dated 06.04.2023 and 24.04.2023 in accordance with law.

2. The learned counsel for the petitioner submitted that the petitioner's land was acquired by the Tamil Nadu Highways Department for road widening and that the amount of compensation fixed by the authorities was very low. Hence, the petitioner made representations to refer her claims before the competent authority under Section 64 of the Tamil Nadu Land Acquisition Act [hereinafter referred to as 'the Act']. The competent authority is the District Collector/Arbitrator. The third respondent, instead of referring the matter to the District Collector, referred to the Civil Court which is against the provisions contemplated under Section 64 of the Act. Even though the petitioner made representations, the same were not considered and kept pending in the cold storage. Therefore, the present writ petition is filed.

3. It is seen that the representations of the petitioner are genuine. Therefore, the first respondent is directed to consider the petitioner's



representations dated 06.04.2023 and 24.04.2023 and refer the petitioner's claim to the second respondent namely the District Collector for the enhancement of compensation. On receipt of the same, the second respondent/ District Collector is directed to consider the petitioner's claim and pass appropriate orders on merits and in accordance with law, if the petitioner is otherwise eligible, within three months from the date of receipt of a copy of this order.

4. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

20.03.2024

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

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Chennai – 600 009.
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P.VELMURUGAN. J.

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