



WEB COPY



W.P.No.9392 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.9392 of 2024

- 1.V.Shivabhusanam
- 2.V.Karthikeyan
- 3.V.Sakthivel
- 4.V.Rajabadhar

... Petitioners

Versus

1. The Land Acquisition Officer cum
District Collector, Chengalpattu
District Collectorate Office,
GST Road, Chengalpattu – 603 001
2. The Divisional Engineer,
Highways, Construction & Maintenance,
GST Road,
Opp. to Govt. Medical College Hospital,
Chengalpet.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the enhanced compensation to the writ petitioners with all other benefits as per the decree and judgment dated 30.09.2021 passed by the Hon'ble



W.P.No.9392 of 2024

WEB COPY

Additional Subordinate Judge, Chengalpet in LAOP No.3 of 2019 by disposing of the writ petitioners' representation letter dated 03.08.2023 and confirming the lower court enhanced compensation of Rs.10,000/- per sq.mtrs as per the Order by this Court in CRP.No.2215 of 2022 dated 16.09.2022.

For Petitioner : Mr.J.Ram

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed to direct the respondents to pay the enhanced compensation to the writ petitioners with all other benefits as per the decree and judgment dated 30.09.2021 passed by the Hon'ble Additional Subordinate Judge, Chengalpet in LAOP No.3 of 2019 by disposing of the writ petitioners' representation letter dated 03.08.2023 and confirming the lower court enhanced compensation of Rs.10,000/- per sq.mtrs as per the Order by this Court in CRP.No.2215 of 2022 dated 16.09.2022.



W.P.No.9392 of 2024

WEB COPY

2. It is the grievance of the writ petitioner that the land of the petitioners has been acquired by the Government for the purpose of formation of Radial Road that is to extend to six lane of Old Mahabalipuram Road and awarded compensation and the compensation received by the petitioners are under protest. Whereas, for the adjacent land owners, whose lands have been acquired, have been referred to Land Acquisition Tribunal and they have been granted enhanced compensation. The revision filed as against the Order of the Tribunal has also been dismissed confirming the enhancement made by the Tribunal. Therefore, petitioners have given representation on 03.08.2023 and the same has not been considered by the respondents. Hence, the present writ petition.

3. Heard Mr.J.Ram, learned counsel for the petitioners and Mr.A.Selvendran, learned Special Government Pleader for the respondents.

4. Considering the fact that the District Collector has to make reference under section 28 [A] [1] and [2] of Land Acquisition Act, the first respondent is directed to refer the matters to the tribunal for



W.P.No.9392 of 2024

WEB COPY

enhancement of compensation with all other benefits as per Land Acquisition Act and in the light of the decree and judgment dated 30.09.2021 passed by the Hon'ble Additional Subordinate Judge, Chengalpet in LAOP No.3 of 2019.

5. With the above directions, this Writ Petition stands disposed of.

No costs.

08.04.2024

Index:Yes/No

Neutral Citation : Yes/No

dhk

To,

1. The Land Acquisition Officer cum
District Collector, Chengalpattu
District Collectorate Office,
GST Road, Chengalpattu – 603 001
2. The Divisional Engineer,
Highways, Construction & Maintenance,
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W.P.No.9392 of 2024

N.SATHISH KUMAR, J.

dhk

W.P.No.9392 of 2024

**08.04.2024
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