



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.11014 of 2024

R.Murali

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Petitioner

versus

1.The District Collector,
Tiruvallur District.

2.The District Revenue Officer(L.A),
Chennai Outer Ring Road Scheme,
CMDA, Koyambedu,
Chennai - 600 107.

3.The Special Tahsildar,
Land Acquisition,
Chennai Outer Ring Road Scheme (Phase-1),
Poonamallee, Chennai.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pay the compensation as per prevailing market value for the land measuring an extent of 1614 sq.ft. in S.No.14/3 and 538 sq.ft. in S.No.13/2C situated in Plot No.7, Anna Nagar, Vijaya Nallur Village, Ponneri Taluk, Tiruvallur District, by considering petitioner's representation dated 11.10.2023.



For Petitioner : Mr.N.Naganathan
For Respondents : Mr.S.Arumugham
Government Advocate

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the respondents to pay the compensation as per prevailing market value for the land measuring an extent of 1614 sq.ft. in S.No.14/3 and 538 sq.ft. in S.No.13/2C situated in Plot No.7, Anna Nagar, Vijaya Nallur Village, Ponneri Taluk, Tiruvallur District, by considering the petitioner's representation dated 11.10.2023.

3. Heard learned counsel for the petitioner and the learned Government Advocate for the respondents and perused the materials available on record.

4. It is the case of the writ petitioner that the compensation fixed by the authorities is below the market value. Therefore, the petitioner had made representations dated 14.08.2023 and 11.10.2023 to pay the



compensation as per the prevailing market value. However, the same has not been considered by the respondents.

5. Since the amount has been received with protest and representations also made in this regard on 14.08.2023 and 11.10.2023, such representations shall be treated as applications to the District Collector. Let the District Collector / the first respondent shall refer the matter to the concerned authority under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within a period of 30 days from the date of receipt of a copy of this order. On receipt of the same, the concerned authority shall decide the issue, after affording a proper opportunity to the petitioner, within a period of two months thereafter.

6. With the above direction, this writ petition is disposed of. No costs.

23.04.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

N.SATHISH KUMAR, J.

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To

WEB COPY

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