



WEB COPY



W.P.No.11325 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **26.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11325 of 2024

J.Zakir Hussain

.. Petitioner

Versus

1. The Collector,
Office of the Collectorate,
Kancheepuram.

2. The Special Tahsildar,
(Land Acquisition),
Bangalore-Chennai Express Way,
National Highways,
O/o. The Special DRO (NH),
Kancheepuram.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.04.2024 to reassess the compensation as per the proximate guideline value of the land within the time fixed by this Court.

For Petitioner : Ms.M.Bharathy Meena

For Respondents : Mr.P.Sathish
Additional Government Pleader



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By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the respondents to consider the representation of the petitioner dated 06.04.2024 to reassess the compensation as per the proximate guideline value of the land.

3. It is the case of the petitioner that he is the owner of the property situated at No.169, Manamai Village, Patta No.1442, Old Survey No.408/2D2B, New Survey No.408/2D2B2, measuring an extent of 0.50 Cent. In the year 2019, the National Highways Authority of India (NHAI) has acquired an extent of 1630 Sq.Mts. of the petitioner's land without issuing any proper notice or compensation to him. Being aggrieved by the same, the petitioner had sent a representation dated 02.12.2019 to the respondents herein seeking compensation for acquisition of the said land. The 2nd respondent had passed an order dated 06.01.2023, awarding a sum of Rs.79,09,783/- as compensation to the petitioner with detailed calculation of the same. As per the above said order, the second respondent had calculated the market price of the land as Rs.10,57,348/- which is less than the guideline value, whereas the guideline value is Rs.23,00,000/- per Acre. Hence, the petitioner sent a



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representation dated 06.04.2024 to the respondents seeking to reassess the compensation as per the proximate guideline value of the land. Since there is no response, the petitioner has come out with this Writ Petition.

4. Heard learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

5. In such view of the matter, as the award is already passed and copy has already been served, if the petitioner is not satisfied with the award, the only option available for the petitioner is to seek reassessment before the concerned authority as notified under the Act. Mere direction to consider the representation of the petitioner will not serve any purpose.

6. With the above observation, this Writ Petition is dismissed. No costs.

26.04.2024

gsa
Index : Yes/No
Internet : Yes/No



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N. SATHISH KUMAR, J.

gsa

To,

1. The Collector,
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Kancheepuram.
2. The Special Tahsildar,
(Land Acquisition),
Bangalore-Chennai Express Way,
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O/o. The Special DRO (NH),
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