



W.P.No.14761 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents herein to pay the compensation for the acquisition of the petitioner's land/construction i.e., compound wall in Survey No.119/1A at Sethirabalapuram Village, Kuthalam Taluk, Mayiladuthurai District by the respondents herein vide the proceedings of the fourth respondent vide Se.Mu.Ka.No.GRC-Val-82/2021/Vu.Po./ dated 03.11.2023 and pass such further orders.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents herein to pay the compensation for the acquisition of the petitioner's land/construction i.e., compound wall in Survey No.119/1A at Sethirabalapuram Village, Kuthalam Taluk, Mayiladuthurai District, by the respondents herein vide the proceedings of the fourth respondent vide Se.Mu.Ka.No.GRC-Val-82/2021/Vu.Po./ dated 03.11.2023.

2. Learned counsel for the petitioner submits that the petitioner's land and the compound wall standing therein were acquired by the respondents for Chennai Industrial Corridor Project. Kanyakumari. The



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respondents fixed compensation only for the land, no compensation was fixed for the construction i.e., compound wall which costs around Rs.2,06,000/-.

On verification the petitioner came to know that during the acquisition proceedings, the survey number was wrongly mentioned. Hence, the petitioner sent representation on 21.04.2023 to respondents 2 and 5 seeking compensation for the construction standing in the acquired land. On 04.07.2023, the enquiry was conducted by the respondents and the petitioner's statement was recorded by the fourth respondent. Thereafter on 12.09.2023, the third respondent herein sent a communication to the petitioner stating that his grievance with regard to compensation of his construction is accepted as the survey number was wrongly mentioned during the acquisition proceedings and recommendations were made for the payment of compensation towards construction over the acquired land. But no action was taken by the respondents towards payment of compensation as agreed. In view of non-payment of compensation, the petitioner approached the fourth respondent regarding compensation. On 03.11.2023, the fourth respondent passed orders regarding the payment of compensation towards construction over the acquired land. But till date no compensation has been paid to the petitioner. Aggrieved by the same, the petitioner has approached this Court by way of filing this present writ petition.



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3. Learned Special Government Pleader takes notice on behalf of the respondents.

4. Learned Special Government Pleader appearing for the respondent submitted that some time limit may be fixed to pay compensation to the petitioner.

5. In view of the above submission made by the learned Special Government Pleader appearing for the respondents, this Court without going into the merits of the case, issues the following directions:

- a) The fifth respondent is directed to pay the compensation for the acquisition of the petitioner's land vide the proceedings of the fourth respondent / Redressal Committee, Chennai Kanyakumari Industrial Corridor Project, Kumbakonam, vide Se.Mu.Ka.No.GRC-Val-82/2021/Vu.Po./ dated 03.11.2023.**
- b) It is to be noted that at the time of settlement, the fifth respondent is directed to conduct a detailed enquiry after giving notice to both parties, affording an opportunity of personal hearing to the petitioner as well as rival claimants/interested parties if any, to**



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take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of natural justice within a period of six weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observation and direction. No costs.

10.06.2024

cda
Index : Yes/No
Speaking/Non Speaking order

J.SATHYA NARAYANA PRASAD, J.

cda

To



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- 1.The Project Officer,
Chennai – Kanyakumari Industrial Corridor Project,
Chennai.
- 2.The Special District Revenue Officer (LA),
Chennai – Kanyakumari Industrial Corridor Project,
Kumbakonam.
- 3.The Divisional Engineer (Highways),
Chennai – Kanyakumari Industrial Corridor Project,
Kumbakonam.
- 4.The Chairamn,
Redressal Committee,
Chennai – Kanyakumari Industrial Corridor Project,
Kumbakonam.
- 5.The Special Tahsildar (LA),
Chennai – Kanyakumari Industrial Corridor Project,
Road Projects Office,
Thenpathi, Seerkazhi,
Mayiladuthurai District.

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