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W.P.No.16782 of 2024
and W.M.P.No.18445 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16782 of 2024
and W.M.P.No.18445 of 2024

G.Gowri Shankar

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Petitioner

versus

- 1.The District Collector,
Chengalpattu District,
District Collectorate,
GST Road,
Chengalpattu - 603 001.
- 2.The Authorized Officer /
Special District Revenue Officer (L.A.),
Special District Revenue Office,
Mahabalipuram - Puducherry
Express Highway Road,
16, Varadharajan Street,
Vedhachalam Nagar,
Chengalpattu - 603 001.
- 3.M/s.SPL ECR Highway Pvt Ltd,
S/o.M/s.SPL Infrastructure Pvt Ltd,
809, Cheyyur - Panayur Road,
Cheyyur D & E Village,
Cheyyur Taluk,
Chengalpattu District - 603 302.
- 4.M/s.Bay Infra Developers Private Limited,



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No.35/1, Ground Floor,
Muthukrishnan Street,
Kondithope,
Chennai - 600 079.

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Respondents

W.P.No.16782 of
and W.M.P.No.18445 of



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to consider the representation dated 19.06.2024 by directing the 1st and 2nd respondents to give notice for conducting fair hearing and record the petitioner's submissions and grant appropriate compensation to the petitioner before his properties are removed for the land acquisition proceedings.

For Petitioner : Mr.Jaishankar Ramakrishnan
For Respondent Nos.1 & 2 : Mr.P.Sathish
Additional Government Pleader

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 consider the petitioner's representation dated 19.06.2024 by directing the respondents 1 and 2 to give notice for conducting fair hearing and record the petitioner's submissions and grant appropriate compensation to the petitioner before his properties are removed for the land acquisition proceedings.



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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2 and perused the materials available on record.

4. The grievance of the petitioner is that his land was acquired and land acquisition proceedings were initiated without any notice to the petitioner and no opportunity whatsoever was given and an award was also passed without any hearing. According to the petitioner, he is the proprietor of the Hotel Gowri Vilas and there are 30 employees in the Hotel and a dwelling house is also there. At this stage, the respondents 1 and 2 are now trying to take possession without following any due process. Hence, the petitioner seeks a direction to the respondents 1 and 2 to give an opportunity before evicting him.

5. The learned Additional Government Pleader for the respondents 1 and 2 would submit that they give a proper opportunity to the petitioner and pass orders after hearing the petitioner before taking any drastic steps. The said statement is recorded.



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6. In such view of the matter, there shall be a direction to the respondents 1 and 2 to give a fair hearing to the petitioner and also to pay compensation before evicting him. Such exercise shall be done within a period of one month from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

26.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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N.SATHISH KUMAR, J.

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