



WEB COPY



W.P.No.17537 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM:

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.17537 of 2024

The Tamil Evangelical Lutheran Church
Rev.S.Daniel Elavarasan
Pastor and Chairman
Bethany Garden, No.16, Cemetery Road
Old Washermanpet, Chennai 600 021

.. Petitioner

Vs

1.Land Acquisition Officer/Revenue Divisional Officer
Tondiyarpet Taluk, Chennai-81

2.The District Collector
Chennai, Collectorate Buildings
Chennai 600 001

3.The Metropolitan Transport Project (Railways)
Rep. by its Chief Engineer
Thirumalai Station Buildings
Mylapore, Chennai 600 004

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to refer the request of the petitioner dated 13.06.2023 seeking enhancement of compensation of land, buildings and trees acquired in S.No.1751/1



W.P.No.17537 of 2024

(extent of 155 sq.mtrs.) and 1751/2 (extent of 355 sq.mtrs.) on Tondiarpet Village, among other land and buildings including trees to the competent authority forthwith.

For Petitioner : Mr.P.Ebenezer Paul
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

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

2. Seeking a direction to the 2nd respondent to refer the request of the petitioner dated 13.06.2023, for enhancement of compensation as against the award passed in an acquisition proceeding, this writ petition has been filed.

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

4. It is the contention of the learned counsel for the petitioner that the application of the petitioner dated 13.06.2023, for referring the matter



W.P.No.17537 of 2024

to the appropriate authority seeking enhancement of compensation awarded on 31.05.2023, has not been referred so far. Hence, the learned counsel prays for a suitable direction.

5. The learned Additional Government Pleader appearing for the respondents submitted that the application has been filed by the petitioner on time and it has to be referred.

6. Considering the limited relief sought in this writ petition, let the 1st respondent refer the application of the petitioner under Section 64 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, to the appropriate authority for enhancement. Such reference shall be made, within a month's time from the date of receipt of a copy of this order.

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

03.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No



W.P.No.17537 of 2024

N.SATHISH KUMAR, J.

gya

WEB COPY

To

1.Land Acquisition Officer/Revenue Divisional Officer
Tondiyarpeta Taluk, Chennai-81

2.The District Collector
Chennai, Collectorate Buildings
Chennai 600 001

3.The Chief Engineer
Metropolitan Transport Project (Railways)
Thirumalai Station Buildings
Mylapore, Chennai 600 004

W.P.No.17537 of 2024

03.07.2024