



WEB COPY



WP.Nos.21294 & 21298 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.08.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.21294 & 21298 of 2024

S.Sudheera

.. Petitioner in W.P.No.21294 of 2024

1. Yaseva @ Lawrence Vincent

2. Frederick Vincent

3. Pamela Joseph

.. Petitioners in W.P.No.21298 of 2024

Versus

1. The Land Acquisition Officer cum District Collector,
Chengalpet, District Collectorate Office,
GST Road, Chengalpet – 603 001.

2. The Divisional Engineer, Highways,
Maintenance & Construction, GST Road,
Opp. to Govt. Medical College Hospital,
Chengalpet.

.. Respondents in both WPs

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the enhanced compensation to the writ petitioners with all other benefits in the light of the decree and judgment dated 30.09.2021 passed by the Additional Subordinate Judge Court Chengalpet in LAOP No.3 of 2019 by disposing of the writ petitioners representation letter dated 30.04.2024 and 09.08.2023 respectively and conforming the lower court enhanced compensation of Rs.10,000/- per sq.mtrs as per order of the this Court in CRP No.2215 of 2022



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dated 16.09.2022 by disposing of petitioners' representation letter dated 30.04.2024 and 09.08.2023 respectively.

For Petitioners : Mr.J.Ram [both WPs]

For Respondents : Mr.G.Ameedius
Government Advocate – [both WPs]

COMMON ORDER

With the consent of both sides, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions are filed to direct the respondents to pay the enhanced compensation to the writ petitioners with all other benefits in the light of the decree and judgment dated 30.09.2021 passed by the Additional Subordinate Judge Court Chengalpet in LAOP No.3 of 2019 by disposing of the writ petitioners representation letter dated 30.04.2024 and 09.08.2023 respectively and conforming the lower court enhanced compensation of Rs.10,000/- per sq.mtrs as per order of the this Court in CRP No.2215 of 2022 dated 16.09.2022 by disposing of petitioners' representation letter dated 30.04.2024 and 09.08.2023 respectively.

3. Heard learned counsel for the petitioners and the learned Government



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Advocate appearing for the respondents and perused the materials available on
record.

4. It is the grievance of the writ petitioners that the lands of the petitioners have been acquired by the Government for the purpose of formation of radial road and awarded compensation and the petitioners had received the compensation under protest. In this regard, the petitioners have given representations for referring the matter to the Tribunal for enhancement of compensation. Whereas, for the adjacent land owners, whose lands have been acquired, have been referred to Land Acquisition Tribunal and they have been granted enhanced compensation. The revision filed as against the Order of the Tribunal has also been dismissed confirming the enhancement made by the Tribunal. Therefore, once again petitioners have given representations on 30.04.2024 and 09.08.2023 and the same have not been considered by the respondents. Hence, the present writ petitions.

5. Considering the fact that the District Collector has to make reference under section 28 [A] [1] and [2] of Land Acquisition Act, the respondents are directed to refer the matter to the tribunal for enhancement of compensation with all other benefits as per Land Acquisition Act and in the light of the decree



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and judgment dated 30.09.2021 passed by the learned Additional Subordinate Judge, Chengalpet in LAOP No.3 of 2019 and as per the Order of this Court in CRP.No.2215 of 2022 dated 16.09.2022 and dispose of the representation of the petitioners dated 30.04.2024 and 09.08.2023 respectively.

6. With the above direction, these writ petitions are disposed of. No costs.

01.08.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The Land Acquisition Officer cum District Collector,
Chengalpet, District Collectorate Office,
GST Road, Chengalpet – 603 001.
2. The Divisional Engineer, Highways,
Maintenance & Construction, GST Road,
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N. SATHISH KUMAR, J.

VRC

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