



WEB COPY



W.P.No.20989 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.20989 of 2024

B. Lakshmi Prabha

.. Petitioner

Vs

- 1 The State of Tamil Nadu
represented by its Secretary
The Commissioner of Land Administration
Chepauk
Chennai 600 005
- 2 The District Collector
Kancheepuram District Collectorate
Collectorate Compound
Kancheepuram 631 502
- 3 The Special Tahsildar
Land Acquisition
O/o The Special Tahsildar
Kundrathur Taluk
Kundrathur 600 069
- 4 The Executive Engineer
Department of Water Resources
Kosasthalai River Division
Thiruvallur 602 001

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to consider and pass an award of compensation along with interest within a stipulated



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period of time for the acquisition proceedings in Plot No.133, Old Survey No.651/4, New S.No.(651/1A11) and 659/1, (New S.No.659/1C) an extent of 2,286 sq. ft. as per the proceedings in Na.Ka.No.4086/2020/F1 dated 28.04.2023 acquired for the development of the scheme by the 4th respondent.

For Petitioner	Ms. E. Thamizhannai
For Respondents	Mr. P. Sathish Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the 2nd respondent to consider and pass an award of compensation along with interest within a stipulated period for the acquisition proceedings in Plot No.133, Old Survey No.651/4, New S.No.(651/1A11) and 659/1, (New S.No.659/1C) to an extent of 2,286 sq. ft. as per the proceedings in Na.Ka.No.4086/2020/F1 dated 28.04.2023 acquired for the development of the scheme by the 4th respondent.

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

3. According to the petitioner, she had purchased the property under acquisition in the year 1992 and she was in possession, till the acquisition proceedings that was initiated for widening the Adyar river from Sembarambakkam to Anakaputhur bridge. While so, a public notice was issued



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by the 2nd respondent on 30.09.2022, in which, the petitioner's name was not included and compensation was not paid. Therefore, she sent a legal notice dated 20.10.2023 to the respondents 2 to 4, followed by a representation dated 04.07.2024 addressed to the 2nd respondent. Since no action has been taken by the respondents on the said representation, the petitioner has filed this writ petition.

4. The learned Additional Government Pleader appearing for the respondents fairly submitted that though the lands purchased by the petitioner covered under the Urban Land Ceiling Act, she will come within the ambit of the expression “innocent purchaser” as per G.O.Ms.No.565, Revenue Department, dated 26.09.2008.

5. In such view of the matter, if no compensation is paid to the petitioner, let the 2nd respondent consider the representation of the petitioner and pass an award fixing fair compensation to the petitioner, following the applicable law. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

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

25.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.

gya

To

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