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WP.No.21778 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **31.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.21778 of 2024

D.Rubachandran

... Petitioner

.. Vs ..

1. The District Collector cum Arbitrator,
Collector's Office, Chengalpet District, Chengalpet.
2. The Competent Authority and Special District
Revenue Officer [LA], National Highways,
Kancheepuram and Chengalpet Districts, Kancheepuram. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus to directing the first respondent to consider the Application of the petitioner dated 09.07.2024 for determination of a reasonable Compensation for the acquired lands of the petitioner measuring 42 cents in Survey No.333/2A now as per New Survey No.333/2A2 at Mudhaliyarkuppam Village Cheyyur Taluk then Kancheepuram District now Chengalpattu District after affording a reasonable opportunity of personal hearing to the petitioner within a stipulated period.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.S.J.Mohammed Sathik
Government Advocate

ORDER



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2. This writ petition is filed to direct the first respondent to consider the Application of the petitioner dated 09.07.2024 for determination of a reasonable Compensation for the acquired lands of the petitioner measuring 42 cents in Survey No.333/2A now as per New Survey No.333/2A2 at Mudhaliyarkuppam Village Cheyyur Taluk then Kancheepuram District now Chengalpattu District after affording a reasonable opportunity of personal hearing to the petitioner within a stipulated period.

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

4. The case of the petitioner is that he purchased 42 cents of lands in Survey No.333/2A, new Survey No.333/2A2 at Mudhaliyarkuppam Village, Cheyyur Taluk. While so, the second respondent has acquired 560 sq.mts. of the land of the petitioner in the year 2019 under the National Highways Act,



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1956. On 11.10.2024, the second respondent has passed an award without taking into consideration the present market rate and did not fix the correct compensation. The petitioner has sent an application on 09.07.2024 requesting the first respondent to fix fair and reasonable compensation. But the same has not been considered by the first respondent. Hence, the present Writ Petition.

5. Considering the limited relief sought for by the petitioner, the first respondent is directed to consider the application of the petitioner dated 09.07.2024 and pass Orders on the same, after giving opportunity to the petitioner, on merits and in accordance with law within a period of two months from the date of receipt of a copy of this Order.

6. With the above direction, this Writ Petition is disposed of. No costs.

31.07.2024

vrc

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

To,

<https://www.mhc.tn.gov.in/judis>



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N. SATHISH KUMAR, J.

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