



W.P.No.21429 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.21429 of 2024

G.Kamaraj

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The District Collector,
Chennai District,
Chennai – 600 001.
3. The District Revenue Officer,
Chennai District,
Chennai – 600 001.
4. The Revenue Divisional Officer,
Tambaram,
Kancheepuram District.
5. The Managing Director,
Tamil Nadu Housing Board,
CMDA Building, Koyambedu,
Chennai – 600 107.
6. The Special Tahsildar,
UNIT-V(LA) Land Acquisition for Housing,
Board Schemes, Tamil Nadu Housing Board,



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CMDA Building, Koyambedu,
Chennai – 600 107.

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 2nd Respondent herein to being collector for land acquisition proceedings to re-determine the compensation payable to the petitioner in respect of lands acquired bearing survey numbers 343/3 and 345/3c to an extent of 0.32 cents and 0.19 cents respectively situated at Sholinganallur Village, Tambaram Taluk, Kancheepuram District, now Chennai District under Section 28A of the Land Acquisition Act, 1894 pursuant to the Order passed in W.P.No.6865 of 2006 dated 03.09.2010 and communication dated 20.06.2019 by the 5th Respondent to the 2nd Respondent and communication dated 25.02.2020 by the 3rd Respondent to the 5th Respondent.

For Petitioner : Mr.P.Gokulnath

For R1 to R4 & R6: Mr.R.Gokul Krishnan
Additional Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus to direct the 2nd Respondent herein, the District Collector for land acquisition proceedings to re-determine the compensation payable to the petitioner in respect of lands



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acquired bearing survey numbers 343/3 and 345/3c to an extent of 0.32 cents and 0.19 cents respectively situated at Sholinganallur Village, Tambaram Taluk, Kancheepuram District, now Chennai District under Section 28A of the Land Acquisition Act, 1894 pursuant to the Order passed in W.P.No.6865 of 2006 dated 03.09.2010 and communication dated 20.06.2019 by the 5th Respondent to the 2nd Respondent and communication dated 25.02.2020 by the 3rd Respondent to the 5th Respondent.

2. Heard the learned counsel on either side.

3. Perusal of the records of the papers would indicate that earlier the Petitioner's father had filed a Writ Petition in W.P.No.6865 of 2006 for the very same relief i.e., to quash the Land Acquisition proceedings and to re-determine the compensation under Section 28A of the Land Acquisition Act, 1894.

4. By an Order dated 03.09.2010, W.P.No.6865 of 2006 was disposed of with the following observations:-



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“7. For the above reasons, the impugned order is set aside and the matter is remitted to the 1st Respondent. The 1st Respondent is directed to pass fresh orders on merits, without reference to the limitation, within a period of three months from the date of receipt of a copy of this order.”

5. Though the Order was passed as early as on 03.09.2010, the Respondents did not comply with the order and even after several representations made thereafter, it has not been taken into consideration.

6. Considering the facts and circumstances of the case, this Writ Petition is allowed by directing the Respondents to pass appropriate orders on merits and in accordance with law within a period of three (3) weeks from the date of receipt of a copy of this Order. No costs. Failing which, the District Collector shall be present on 02.12.2024.

06.11.2024

Index : Yes/No
Speaking/Non-speaking Order



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Neutral Citation :Yes/No
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To

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Chennai – 600 001.
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