



W.A.No.2155 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.2155 of 2023

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
(Chennai Outer Ring Road Scheme)
No.8, Gandhi Irwin Road,
Egmore, Chennai-600 008.
 - 2.The Special Tahsildar (LA),
and Land Acquisition Officer Unit IV,
Chennai Outer Ring Road Scheme,
Chennai Metropolitan Development Authority,
Koyambedu, Chennai-600 107. .. Appellants
- Vs.
- 1.M.Rajamanickam
 - 2.Tamil Nadu Road Development Company Ltd.,
rep. by its Chairman & Managing Director,
171, II Floor, Tamil Nadu Maritime Board Bldg.,
South Kesava Perumal Puram,
Pasumpon Muthuramalingam Road,
Raja Annamalaipuram,
Chennai-600 028. .. Respondents



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Prayer : Appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 13.4.2022 passed in W.P.No.9184 of 2022.

For the Appellants : Mr.P.Kumaresan
Addl. Advocate-General
assisted by
Mrs.P.Veena Suresh

For the Respondents : Dr.R.Maheswari
for respondent No.1

: Mr.M.Sivavarthanam
for respondent No.2

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.P.Kumaresan, learned Additional Advocate-General, assisted by Mrs.P.Veena Suresh, learned counsel for the appellants; Dr.R.Maheshwari, learned counsel for the first respondent; and, Mr.M.Sivavarthanam, learned counsel for the second respondent.

2. The present writ appeal is filed against the order of the learned Single Judge, wherein the learned Single Judge, upon the writ



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petition filed by the first respondent, directed to pay the amount under the award within twelve weeks.

3. It is contended by learned Additional Advocate-General that the first appeal against the award passed by the Reference Court is filed and the same is pending before this Court. Stay has been granted and 50% of the amount is deposited. In view of that, the impugned order may not be proper.

4. As the stay is operating in favour of the present appellants, the order under this appeal cannot be implemented.

5. It is submitted that the original writ petitioner has withdrawn 50% of the amount under the award.

6. Till the stay order is operating in the first appeal filed by the appellants, the order under this appeal may not be implemented. In case, the stay is vacated in the first appeal, then the order under appeal would be operated.



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7. In view of the above, the writ appeal is disposed of. There shall be no order as to costs. Consequently, C.M.P.No.18443 of 2023 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

14.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

The Chairman & Managing Director,
Tamil Nadu Road Development Company Ltd.,
171, II Floor, Tamil Nadu Maritime Board Bldg.,
South Kesava Perumal Puram,
Pasumpon Muthuramalingam Road,
Raja Annamalaipuram,
Chennai-600 028.



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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