



W.P.No.24311 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.24311 of 2024

Sree Saraswathi Mills Ltd.,
Rep. by its Director,
N.Shanmugasundaram ... Petitioner

VS.

The Special District Revenue Officer,
(Land Acquisition),
NR Chennai-Kanyakumari Industrial Corridor,
District Collector Office Complex,
RDO Office, 1st Floor,
Kanchipuram – 631 502. ... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to refer the petitioner's claim for enhancement to the Reference Court as per Sec.20 of the Tamil Nadu Highways Act, 2001 vide representation dated 05.10.2023 in respect of its Lands acquired / interim Award passed under Proc. Na.Ka. No.4/387/ 2019 over the Land in Survey Nos.403/6 of Devasenapuram Valliammapuram Village, Thiruthani Taluk, Thiruvellore District.



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For Petitioner : Mr. Tranquebar Dorai Vasu
for Mr. AR.M. Arunachalam

For Respondent : Mr. P. Sathish
Additional Government Pleader

ORDER

The petitioner seeks a direction to the respondent to refer the petitioner's claim for enhancement of compensation to Court under Section 20 of the Tamil Nadu Highways Act, by considering his representation dated 05.10.2023, in respect of the award passed in proceedings No.Proc. Na.Ka. No.4/387/ 2019 over the land in Survey Nos.403/6 of Devasenapuram Valliammapuram Village, Thiruthani Taluk, Thiruvellore District.

2. It is the case of the petitioner that the land belonged to him in S.No.403/6B, measuring 240sq.mts. situated in Devasenapuram Valliammapuram Village, Thiruthani Taluk, Thiruvellore District, was acquired for the extension of State Highways. The respondent passed an award fixing the compensation in Na.Ka. No.R4/387/2019 by award dated 30.09.2020. It is the case of the petitioner that the award copy was served



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on the petitioner only on 31.12.2021 and he submitted a representation on 25.01.2022 seeking enhancement of compensation and the same has not been considered. Subsequently, various representations have been submitted by the petitioner to the respondent seeking reference under Section 20 of the Tamil Nadu Highways Act and the same has not been considered. Therefore, the petitioner is before this Court seeking direction to the respondent to consider his representation dated 05.10.2023.

3. The learned Additional Government Pleader appearing for the respondent would submit that the competent authority for making reference under Section 20 of the Tamil Nadu State Highways Act, is the District Collector and the petitioner has not submitted the representation before the District Collector. However, he would submit that the representation of the petitioner would be considered in accordance with law, within the time stipulated by this Court.

4. It is seen from the typed set of papers that the petitioner submitted a representation to the respondent herein on 05.10.2023. Since the person



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competent to refer the matter to Court under Section 20 of the Tamil Nadu Highways Act is the District Collector, the respondent is directed to forward the application of the petitioner to the District Collector Thiruvallur, within a period of two weeks from the date of receipt of a copy of this order. The District Collector, Thiruvallur, is directed to consider the representation of the petitioner dated 05.10.2023 and pass final orders on its own merits within a period of six weeks from the date of receipt of the representation of the petitioner from the respondent. The Registry is directed to send the copy of the order to the District Collector, Thiruvallur.

5. With the above direction, the Writ Petition stands disposed of. No costs.

20.08.2024

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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To

1. The Special District Revenue Officer,

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(Land Acquisition),
NR Chennai-Kanyakumari Industrial Corridor,
District Collector Office Complex,
RDO Office, 1st Floor,
Kanchipuram – 631 502.

2. The District Collector,
Thiruvallur.



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S.SOUNTHAR, J.

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