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W.P.No.25037 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.09.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25037 of 2024

R.Selva Kumar

..Petitioner

Vs.

1.The District Collector,
Thiruvallur District.

2.The Divisional Engineer,
LLA Building,
TNRIDC, Chennai,
Anna Salai, Chennai 600 006.

3.The Special Tahsildar (Land Acquisition)
Chennai Peripheral Ring Road Project
Administrative Office Block – Ground Floor
SIDCO Branch Office Complex,
Ambattur Industrial Estate,
Chennai 600 058.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to enhance the amount of compensation awarded to the petitioner against the original amount of Rs.56,71,444/- under the award dated 28.06.2024.



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For Petitioner : Ms.N.Asmitha
for Mr.K.V.Babu
For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to respondents to enhance the quantum of compensation awarded to her in respect of lands acquired under Tamil Nadu Highways Act.

2. It is the case of the petitioner that she is an absolute owner of the house site situated in No.104, in S.Nos.678/3(part), 678/4(part), 678/7(part), 679/1B4 (part) and 679/1B5 bearing patta No.7269 measuring an extent of 5350 Sq.feet at Polivakkam Village, Thiruvallur District.

3. The above said property was acquired for the purpose of laying Chennai Peripheral Ring Road. The petitioner made her objection and notwithstanding the same, the 3rd respondent passed an award dated 28.06.2024 fixing the quantum of compensation as Rs.56,71,444/- and the said amount was transferred to the petitioner's account on 12.07.2024. Aggrieved by the quantum of compensation fixed by the competent authority, the

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petitioner is before this Court.

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4. In view of the Section 20 of Tamil Nadu Highways Act, if the petitioner is aggrieved by the quantum of compensation, she has to seek a reference. The writ petition filed by the petitioner for enhancement of the compensation is not at all maintainable. Accordingly, the writ petition stands dismissed with liberty to the petitioner to make an appropriate application before the 1st respondent seeking reference under Section 20 of Tamil Nadu State Highways Act. If any such application is filed by the petitioner, the 1st respondent shall take a decision regarding the reference within a period of four weeks from the date of receipt of such application.

5. With the above directions, this writ petition stands dismissed. No costs.

02.09.2024
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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

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Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

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