



WEB COPY



W.P.No.25028 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25028 of 2024

1.A.A.Kamal Batcha

2.A.A.Ahmed Batcha

3.A.A.Anwar Batcha

... Petitioners

VS.

1.The Special Deputy Collector
Land Acquisition
Highways Department,
Alandur,
Chennai 600016.

2.The Special District Revenue Officer
Land Acquisition,
Highways Department,
Alandur,
Chennai 600016.

3.The Special Tahsildar
Land Acquisition
Highways Department,
Alandur,
Chennai 600016.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondent to refer the Award proceedings dated 31.08.2021 in Award No.11/21 bearing Na.Ka.130/2007/A1 to the competent Court/Authority U/s 20(1) of the Tamil Nadu Highways Act within a time limit as fixed by this Court.

For Petitioners : Mr.P.Solomon Francis

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

ORDER

The petitioners herein seek a direction to the respondents 1 and 2 to consider their representation dated 21.06.2024 and refer the matter to the Civil Court under Section 20(1) of the Tamil Nadu Highways Act.

2. It is not in dispute that the property of the petitioners situated in S.No.24, Tiruvanmiyur Village, Saidapet Taluk, Mylapore-Triplicane Taluk, Chennai District was acquired by the respondents under the Tamil Nadu Highways Act, 2001. Subsequently, the award was passed by the 2nd respondent on 31.08.2021 fixing quantum of compensation payable to the



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petitioner. Nearly, after 2 ½ years, the petitioners submitted a representation before the 2nd respondent on 21.06.2024 seeking enhancement of compensation.

3. In order to consider the request for enhancement of compensation, the petitioners shall file an application within 60 days from the date of receipt of award copy under Section 20 of Tamil Nadu Highways Act, 2001.

4. In the last hearing, in order to ascertain whether award copy was served on the petitioners, the learned Additional Government Pleader sought time to get instructions.

5. When the matter is taken up for hearing today, the learned Additional Government Pleader, on oral instructions, would submit that the award copy has not been served on the petitioners. Therefore, the 2nd respondent is directed to forward the representation of the petitioner dated 21.06.2024 to the Competent Authority namely District Collector, Chennai District and the District Collector, Chennai District shall consider the same in the light of Section 20 of the Tamil Nadu Highways Act, 2001 and pass



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necessary orders in accordance with law, within a period of twelve weeks
from the date of receipt of copy of this order.

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

19.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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Copy to:

The District Collector,
Chennai District.



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S.SOUNTHAR, J.

dm

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