



WEB COPY



W.P.No.28658 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

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

W.P.No.28658 of 2024

K.Balan

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai – 600 001.

2. The Special District Revenue Officer (Land Acquisition),
Chennai Metro Rail Limited,
Koyambedu,
Chennai – 600 107.

3. The Executive Engineer P.W.D.,
Chennai Metro Rail Limited,
METROS, Anna Salai,
Nandanam,
Chennai – 600 035.

4. The Firka Revenue Inspector – II,
Perambur,
Chennai – 600 011.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the Respondents 1 to 3 to consider



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the Petitioner's representation dated 15.06.2024 to award compensation for the acquisition of the land and building of the petitioner admeasuring to an extent of 0.07 cents, in 2408 square feet, comprised in Old Survey No.117/2, T.S.No.2, Block No.1, situated in Door No.18, Sathiyavani Muthu Salai, Erukkancherry Village, Chennai.

For Petitioner : Mr.N.Baaskaran

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus to direct the Respondents 1 to 3 to consider the Petitioner's representation dated 15.06.2024 to award compensation for the acquisition of the land and building of the petitioner admeasuring to an extent of 0.07 cents, in 2408 square feet, comprised in Old Survey No.117/2, T.S.No.2, Block No.1, situated in Door No.18, Sathiyavani Muthu Salai, Erukkancherry Village, Chennai.

2. The Petitioner grievance is that despite acquiring the property measuring an extent of 0.07 cents in 2408 sq ft., in Old Survey No.117/2,



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T.S.No.2, Block No.1, situated at Door No.18, Sathiyavani Muthu Salai, Erukkancherry Village, Chennai and the same being a patta land, the Petitioner has not received compensation in respect of the land and the building. The Petitioner would submit that the Respondents had contended that the land in question was a Government land. The Petitioner had sent a detailed reply dated 02.05.2022 producing the documents to show the fact that the property in question is a patta land. Though the technical team of the 2nd and 3rd Respondents had visited the property and the petitioner's representative has informed them that the same was a patta land, the 3rd Respondent has made a proposal dated 08.06.2023, once again stating that the land is a Government land and that an application has been made only for the building. They had fixed the value of the building at a sum of Rs.64,46,467/- which according to the Petitioner is very low as a building alone would fall over a sum of Rs.1,00,00,000/-. Despite their technical team visit the Petitioner's property on 11.10.2023, to date no communication has been received by the Petitioner. The Petitioner has also made a representation on 15.06.2024 calling upon the Respondents 1 to 3 to grant compensation in respect of the land and building, however the same was not considered and therefore, the Petitioner has filed the present Writ Petition.



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WEB COPY 3. Considering the said facts set out herein above and taking into account the fact that the Petitioner claims the property to be his patta land, the Respondents are directed to consider the Petitioner's representation dated 15.06.2024 and pass appropriate orders on merits and in accordance with law, after issuing notice to the Petitioner and also affording him an opportunity of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this Order. No costs.

13.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation :Yes/No
rgm



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