



WEB COPY



W.P.No.30700 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30700 of 2024

Chithra

... Petitioner

VS.

- 1.The Secretary to Government,
Transport Department,
Tamil Nadu Government,
Secretariat, Fort. St George,
Chennai – 600 009.
- 2.The District Collector,
The Land Acquisition Officer,
Chinnasalem – Kallakurichi,
New Board Gauge Railway Line Project,
Collectorate, Kallakurichi.
- 3.The District Revenue Officer,
Chinnasalem – Kallakurichi,
New Broad Gauge Railway Line Project,
Collectorate, Kallakurichi.
- 4.The Special Tahsildar (Land Acquisition)
Chinnasalem – Kallakurichi,
New Broad Gauge Railway Line Project,
Southern Railway, Office of the Tahsildar,
Kallakurichi Taluk and District.
- 5.The Chief Administrative Officer,
Constructions, Southern Railways,
Egmore, Chennai – 600 008.



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6.The Deputy Chief Engineer,
Constructions, Southern Railways,
Salem Divisions, Salem.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representations dated 16.09.2024 and thereby direct the respondents 1 to 4 to convey the petitioner's property value from cents into Sq.ft and pay compensation of Rs.6,000/- Per Sq.Ft in Survey Nos.220/2, 219/1A, 219/1B to an extent of 0.29 cents equaling to 12631 Sq.ft situated at within the limit of Kallakurichi Municipality, Kallakurichi District.

For Petitioner	: Mr.B.Sundarapandiyan
For R1 to R4	: Mr.P.Sathish Additional Government Pleader
For R5 and R6	: Mr.K.S.Jaiganesh Senior Central Government Standing Counsel for Railways

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents 1 to 4 to consider her representation dated 16.09.2024 seeking revaluation of the



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acquired property on square feet basis instead of valuation based on cents.

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3. It is the case of the petitioner that she got property with an extent of 0.34 cents in Survey Nos.220/2, 219/1A, 219/1B situated at Kallakurichi Municipality, Kallakurichi under Settlement Deed executed by her husband dated 07.11.2002. Thereafter, the petitioner executed a registered Settlement Deed in favour of her daughter in respect of property to an extent of 5 cents in Survey No.219/1A vide Document No.2747/2017, dated 05.10.2017 on the file of Joint Sub-Registrar Office No.2, Kallakurichi. A portion of the said property was acquired by the respondents for the purpose of forming new broad gauge railway line project from Chinnasalem to Kallakurichi. The compensation amount was fixed by the Competent Authority at Rs.22,96,532/- in respect of S.No.220/2 and Rs.10,47,280/- in respect of S.Nos.219/1A and 219/1B.

4. It is the further case of the petitioner that even at the time of settlement in the year 2017, the market value of the property was Rs.6000/- per Sq.ft., and Competent Authority undervalued the property and fixed meager amount as the compensation. Therefore, she submitted a



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representation before the respondents on 16.09.2024 seeking enhancement of compensation and the same has not been considered. Hence, the petitioner is before this Court.

5. In the case on hand, the award was passed on 13.08.2024 and the representation of the petitioner was submitted on 16.09.2024, well within the time limit seeking enhancement. Therefore, the 2nd respondent is directed to consider the representation of the petitioner dated 16.09.2024 in the light of Section 8 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and pass final orders on its own merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

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

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



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To

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S.SOUNTHAR, J.

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