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W.P.No.35395 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.35395 of 2024

Syed Ahmed

... Petitioner

Vs.

1.The Principal Secretary To Government,
Highways And Minor Ports Department,
Fort St.George, Chennai -600009.

2.The Principal Secretary To Government,
Revenue Department,
Fort St. George, Chennai-600009.

3.The Special District Revenue Officer(LA),
Highways Dept, Metropolitan Wing,
No. 293, MKN Road,
Alandur, Chennai -600016.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the Respondents to consider the representation dated 10.7.2024 sent by Petitioner and to re-determine the Compensation as prayed for, within a stipulated period fixed by this Honourable Court.



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For Petitioner : M/s.M.Marudhachalam

For Respondents : M/s.M.R.Gokul Krishnan, AGP
for R.1 to R3.

ORDER

The Writ Petition is filed for the following reliefs:-

"Directing the Respondents to consider the representation dated 10.7.2024 sent by Petitioner and to re-determine the Compensation as prayed for, within a stipulated period fixed by this Honourable Court."

2. The petitioner would submit that the property belonging to his mother had been acquired for the purpose of laying a bypass road in Tambaram (East). The petitioner's mother had passed away on 22.08.2022 leaving behind her two sons, namely, the petitioner and one Saifuddin. The property remaining after acquisition was partitioned between the two on 10.05.2023 and it was allotted to the petitioner. An award was passed on 31.08.2021 in award number 13/2021 determining the amount of compensation. When the petitioner's mother was alive a portion of the compensation was paid to her. The balance compensation had also been paid to the petitioner. However, the petitioner is aggrieved by the amount of compensation that has been paid to him. Therefore, he had sent a representation dated 10.07.2024 requesting the Land Acquisition Officer to



determine the compensation in accordance with the provisions of Sections 29, 30 and the First Schedule of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30/2013). The said representation has not been considered to date. Therefore, the petitioner is before this Court.

3. Heard the learned counsel on either side.

4. Considering the limited request made the Writ Petition is allowed.

A mandamus is issued to the respondents to consider the representation of the petitioner dated 10.07.2024 and pass orders within a period of 2 months from the date of receipt of a copy of this order. There shall be no order as to costs.

17.12.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

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P.T. ASHA. J.,

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