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WP No. 3102 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 3102 of 2025

1. Dr.P.N.Vinoth

Petitioner(s)

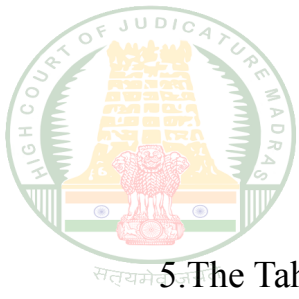
Vs

1. The District Collector
Chennai District, Chennai.

2.The Commissioner
Greater Chennai Corporation,
Chennai-600 003.

3.The District Revenue Officer
(Land & Estate)
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.

4.The Managing Director
Chennai Metropolitan Water Supply
And Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai-600 002.



5.The Tahsidlar
Alandur Taluk, Chennai District.

6.The Chief Engineer,
Water Resources Department,
Chepauk, Chennai.

7.The Executive Engineer,
Water Resources Department,
Kosasthalaiyar Basin Division,
Tiruvallur.

(R6 And R7 are impleaded as per order dated 05.03.2025 in WP.3102/2025

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to determine and pay the compensation for the extent of 24484.4 square feet in S.F. Nos. 290, 304, 305, 306, 310/1 and 310/2 situate at Manapakkam, Alandur Taluk, Chennai District to the petitioner under the provisions of The Right to Fair compensation and transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 as amend within stipulated period.

For Petitioner(s): K. Govi Ganesan

For Respondent(s): Mr.P.Sathish
Additional Government Pleader
for R1, R3, R5 to R7
Mrs.Vanitha Joice Rani
Standing Counsel for R2
Ms.S.Deepika
Standing Counsel for R4



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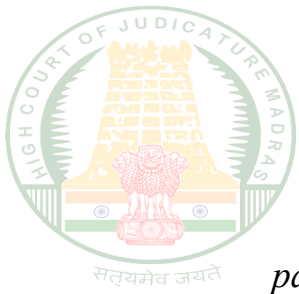
ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to determine and pay the compensation to the petitioner for having utilized the property belonging to the petitioner without resorting to any acquisition proceedings.

2.The matter came up for hearing on 05.02.2025 and this Court passed the following order:

Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents 1, 3 and 5. Mrs.S.Vanitha Joice Rani, learned standing counsel takes notice for the 2nd respondent. Mrs.Vasanthamala, learned standing counsel (CMWSS) takes notice for the 4th respondent.

2.The main grievance that has been expressed by the petitioner is that an extent of nearly 24484.4 sq. ft. has been taken away for laying a channel and no compensation has been



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paid to the petitioner. The representation made by the petitioner in this regard was also not properly dealt with and it is alleged that each authority is pointing the finger on the other and as a result, till date no compensation has been paid.

3. There shall be a direction to the counsel appearing on behalf of the respondents to take written instructions and place the same before this Court. Post this writ petition under the caption "for orders" on 05.03.2025.

3. The matter was once again listed for hearing on 05.03.2025 and the following order was passed by this Court:

Pursuant to the earlier order passed on 05.02.2025, written instructions have been given by the 5th respondent. On going through the same, it is now clear that the respondents have identified water resources department to be the authority who has to pay the compensation to the petitioner. Accordingly, the Chief Engineer, Water Resources Department, Chepauk, Chennai and the Executive Engineer, Water Resources Department, Kosasthalaiyar Basin Division, Tiruvallur, are impleaded as respondents 6 and 7 in this writ petition.



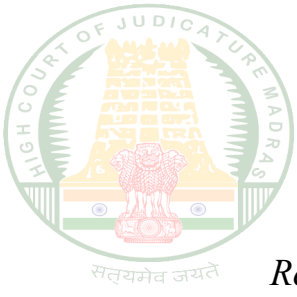
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2.Mr.P.Sathish, learned Additional Government Pleader takes notice for the impleaded 6th and 7th respondents.

3.The learned Additional Government Pleader submitted that the Manapakkam Channel has been constructed in the subject property and the land plan schedule for the administrative sanction proposal has been received by the concerned authority from the impleaded 7th respondent through communication dated 13.02.2025. On receipt of the same, the 5th respondent has initiated proceedings for getting the administrative sanction proposal for land acquisition process. The learned Additional Government Pleader submitted that the requisitioning body in the present case is the water resource department and they will be the one who will be paying the compensation to the petitioner.

4.In the light of the specific stand that has been taken by the respondents, there shall be a direction to the 1st respondent to follow-up on the proposal that has already been sent by the 5th respondent and initiate proceedings for the determination and payment of compensation to the petitioner under the



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Rehabilitation and Resettlement Act, 2013. The steps taken in this regard shall be informed to this Court during the next date of hearing. The 1st respondent will file a report in this regard during the next date of hearing.

5. Post this writ petition under the caption for passing 'further orders' on 07.04.2025.

4. Pursuant to the above order, a status report has been filed by the District Collector and the relevant portions are extracted hereunder:

4) I respectfully submit that the revised Land Plan Schedule (LPS) for the Administrative Sanction Proposal in Manapakkam Channel and Kolapakkam Channel II in Manapakkam Village, Alandur Taluk has been received in Alandur Taluk office 13.02.2025 from the Executive Engineer, Water Resources Department, Kosasthalaiyar Basin Division, Thiruvallur (Requisition Body) vide letter No. 1/2.3.1/-28 (L&A) / 2025/63 M, dated 30.01.2025.

5) I respectfully submit that the proposal for the



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Administrative Sanction has been received in this office from the Tahsildar, Alandur Taluk vide letter No. A3/372/2025, dated 28.03.2025 and also from the Revenue Divisional Officer, South Chennai Division vide letter No. B3/1760/2025, dated. 02.04.2025)

6) I respectfully submit that after receiving the proposal from the Tahsildar, Alandur Taluk and the Revenue Divisional Officer, South Chennai, this respondent has submitted the said proposal for the Administrative Sanction to the Commissioner of Land Administration vide letter No. J9 (J11)/8633/2023, dated. 04.04.2025

7) Further, it is respectfully submitted that the prayer of the petitioner in this writ petition has already been taken and steps has been initiated under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 in due process.

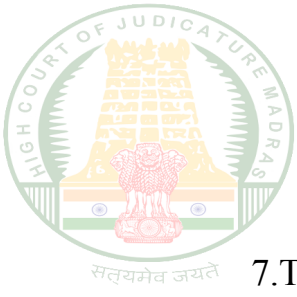
5. The learned Additional Government Pleader appearing on behalf of the official respondents submitted that the proposal has been received both from the



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Tahsildar and the Revenue Divisional Officer and it has been placed before the Commissioner of Land Administration for administrative sanction. Once the same is received, the 1st respondent will proceed further with the determination of the compensation.

6. In the light of the status report filed by the 1st respondent and after hearing the learned Additional Government Pleader appearing on behalf of the respondents 1, 3 and 5 to 7 and the learned Standing Counsel appearing on behalf of respondents 2 & 4 and also the counsel for the petitioner, this Court issues a direction to the 1st respondent to determine and pay the compensation to the petitioner under the Right to Fair compensation and transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 for the property that has already been put to use and which belongs to the petitioner and necessary orders shall be passed in this regard, within a period of three months from the date of receipt of copy of this order.



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7.This writ petition is disposed of with the above directions. No Costs.

8.Post this writ petition under the caption 'For Reporting Compliance' on
04.08.2025.

07-04-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

ssr



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To

1.The District Collector
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2.The Commissioner
Greater Chennai Corporation, Chennai-
600 003.

3.The District Revenue Officer
(Land and Estate)
Greater Chennai Corporation, Ripon
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And Sewerage Board, No.1, Pumping
Station Road, Chintadripet, Chennai-
600 002.

5.The Tahsidlar
Alandur Taluk, Chennai District.

6.The Chief Engineer,
Water Resources Department,
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N.ANAND VENKATESH J.

SSR

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