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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 8283 of 2025

M.Ravi Kumar

Petitioner(s)

Vs

1. The District Collector
Office Of The Collector,
Thiruvallur District.

2.The State Of Tamil Nadu
Rep by Secretary to Government,
Industries Department,
Fort St. George, Chennai- 600 009.

3.The Special Tahsildar (LA)
MMRD,
Land Acquired For MMRD Project,
Saidapet, Chennai-15.

4.The Tahsildar
Office of the Tahsildhar,
Madhavaram,
Madhavaram Taluk, Chennai-060.

Respondent(s)



WEB PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to pay the awarded compensation to the petitioner and further direct the 1st respondent to either consider the representation dated 28/09/2024 for passing orders U/s. 28-A of the Land Acquisition Act or to make a reference U/S. 18 of the Land Acquisition act, within a time frame fixed by this Court.

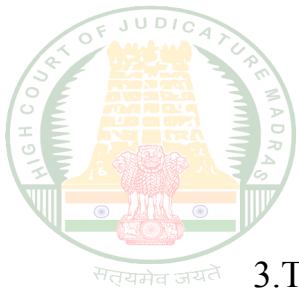
For Petitioner(s): Mr.G.Surya Narayanan

For Respondent(s): Mr. P. Sathish
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to pay the compensation amount that has already been fixed under the Award and for a further direction to either refer the matter under Section 18 before the Reference Court or deal with the representation made by the petitioner and pass orders under Section 28-A of the Land Acquisition Act.

2.Heard Mr.G.Surya Narayanan, learned counsel appearing on behalf of the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing on behalf of the respondents.



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3.The petitioner already approached this Court and filed writ petition in W.P.No.8805 of 2023 for a direction to the respondents to serve the copy of the Award passed. This writ petition was disposed of by an order dated 03.07.2024 by directing the respondents to furnish a copy of the Award to the petitioner, within a period of one week.

4.Pursuant to the above order, the copy of the Award was served on the petitioner. Thereafter, the petitioner has made a representation on 28.09.2024 requesting for the payment of the compensation amount that has already been fixed under the Award and to refer the matter before the Reference Court that has already been fixed compensation for the adjacent land owners and which was not paid to the petitioner.

5.The grievance of the petitioner is that in spite of the receipt of the representation, there is absolutely no response from the respondents and hence, the present writ petition was filed before this Court.



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6.The learned Additional Government Pleader based on the written instructions received from the 4th respondent submitted that the compensation amount has already been fixed for the respective properties. That apart, if the petitioner is seeking for the enhanced compensation, the same will be considered by the 1st respondent under Section 28-A of the Land Acquisition Act.

7.In the case in hand, the following lands were acquired for the MMRD

Project:

<i>Survey No</i>	<i>Total Extent</i>	<i>Sub Division</i>	<i>Acquired Extent (in acres)</i>	<i>Land allotted to the beneficiaries</i>	<i>Purpose of Acquisition details</i>
87	5.69	1A	0.60	MMRD	200 Feet Road
92	4.05	2A	0.64	MMRD	200 Feet Road
		3B	0.20	MMRD	200 Feet Road
176	3.38	1A2	0.32	MMRD	200 Feet Road
		1B2	0.32	MMRD	200 Feet Road
		2B	0.56	MMRD	200 Feet Road
		3B	0.43	MMRD	200 Feet Road



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8.The learned counsel for the petitioner submitted that the compensation for all the above Survey Numbers have already been determined and the same compensation amount can be paid to the petitioner. Or in the alternative, the representation made by the petitioner can be dealt with under Section 28-A of the Land Acquisition Act.

9.In the considered view of this Court, the representation made by the petitioner on 28.09.2024, shall be dealt with by the 1st respondent under Section 28-A of the Land Acquisition Act, 1894. The compensation amount that has already been fixed by the Reference Court shall be taken into consideration, since such enhancement of compensation was given to the adjacent land owners. Appropriate orders shall be passed by the 1st respondent, within a period of twelve weeks from the date of receipt of copy of this order and the compensation amount shall be paid to the petitioner.



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

23-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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8/8

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N.ANAND VENKATESH J.

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