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W.P.No.10879 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.10879 of 2025

A.C.Kannan

.... Petitioner

Vs

1.The District Collector
District Collector Office
Chengalpattu District.

2.The Special Tahsildar (Zone-1)
Incharge for Maraimalai Nagar Scheme
Chennai Metropolitan Development Authority
Koyambedu, Chennai - 600 107.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider Section 28A of the Land Acquisition Act, 1894 petition of the petitioner, dated 09.09.2017 and the representation of the petitioner dated 18.02.2025 based on the order passed by the Additional Sub Judge, Chengalpattu in LAOP.No.1/2010, dated 28.02.2017 within a time limit stipulated by this Court.



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For Petitioner : Mr.E.C.Ramesh

For Respondents : Mr.P.Sathish
Additional Government Pleader [R1 & R2]

ORDER

This writ petition has been filed for issue of Writ of Mandamus directing the first respondent to consider the petition submitted by the petitioner on 09.09.2017 and also the subsequent representation made by the petitioner on 18.02.2025 and to pass orders under Section 28A of the Land Acquisition Act, 1894.

2. Heard Mr.E.C.Ramesh, learned counsel appearing for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for respondents.

3. The property belonging to the petitioner was acquired under the Land Acquisition Act, 1894 and the compensation amount was also fixed. Since the compensation amount awarded to the petitioner's land was meagre when compared with the compensation amount that were awarded to the adjacent



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lands of the petitioner's property, the petitioner along with his sisters made a representation and based on the same, a reference was made under Section 18 of the Act before the Additional Sub Judge, Chengalpattu, which was taken on file in LAOP.No.1 of 2010. The case was contested and the compensation amount was also enhanced by the Additional Sub Judge, Chengalpattu.

4. Aggrieved by the order passed by the Reference Court, an appeal was filed before this Court by the Land Acquisition Authority, and it was dismissed. The same was also confirmed by the Apex Court.

5. Thereafter, the petitioner gave a representation/objection under Section 28A for re-determination of the compensation, based on the order passed by the Additional Sub Judge, Chengalpattu dated 28.02.2017 in LAOP.No.1/2010 for the other properties belonging to the petitioner. Since the same was not considered, the petitioner submitted a reminder on 18.02.2025 to the first respondent. The first respondent had sought for the report of the second respondent and thereafter, there was no progress. It is in these circumstances, the present writ petition was filed seeking for an appropriate direction.



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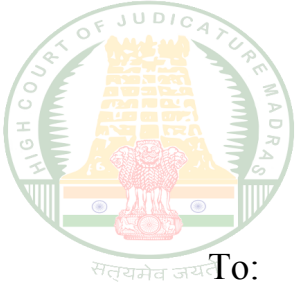
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6. Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the first respondent to pass orders based on the petition filed by the petitioner on 09.09.2017 under Section 28A of the Land Acquisition Act, 1894, within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above direction. No costs.

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Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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