



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 10923 of 2019

1. L.Jothilakshmi

Petitioner(s)

Vs

1. State of Tamil Nadu
Rep. by its Secretary to Government,
Housing and Urban Development
Department, Fort St.George,
Chennai - 600 009.

2.Chennai Metropolitan Development
Authority,
Rep. by its Member Secretary,
No.8, Gandhi Irwin Road, Egmore,
Chennai - 600 008.

3.The District Collector,
Tiruvallur District Collectorate,
Tiruvallur-602 001

4.The Special Tahsildar,
Land Acquisition (Unit-IV),
Chennai Outer Ring Road Scheme,



Phase I,
Chennai Metropolitan Development
Authority, Egmore, Chennai

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5.The Special Tahsildar
Land Acquisition (Unit-IV),
Chennai Outer Ring Road Scheme,
Phase I, Chennai Metropolitan
Development Authority, Koyambedu,
Chennai - 600 092.

6.The Special Tahsildar,
Land Acquisition, Chennai Outer Ring
Road Project (ORR) Phase-I,
Poonamallee.

7.The Government of Tamil Nadu
Rep. by its Secretary,
Public Works Department,
Fort St. George, Chennai - 600 009.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, Directing the respondents to grant enhancement of compensation for the land of the petitioner's husband situated in Survey Nos.144/3C2, 144/3D, 145/1, 145/2 and 147/2 of Karunakaracheri Village and the land belonging to the petitioner in Survey Nos.146/3, 146/2A1, and 146/1 of Karunakaracheri Village and covered under Award No.2/2003 dated 05.08.2003 passed by the 4th respondent, by taking into consideration the market value of the land and by arriving at a just and fair compensation under



the provisions of “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013”.

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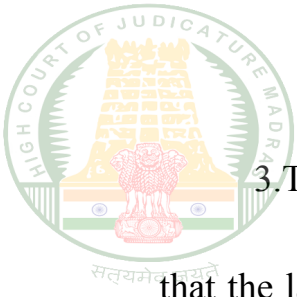
For Petitioner(s): Ms.R.Maheswari

For Respondent(s): Mr.M.R.Gokulkrishnan
Additional Government Pleader
for R1, R3 to R7
Ms.Veena Suresh
Standing Counsel for R2

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to grant enhancement of compensation for the subject property covered under Award No.2/2003 dated 05.08.2003 passed by the 4th respondent by taking into consideration the market value of the property and fix the compensation in line with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

2.Even though, various grounds were raised in the writ petition and the same has been met by the respondents by filing a counter affidavit, it is not necessary for this Court to get in to any of these issues.



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3. The learned counsel for the petitioner brought to the notice of this Court that the lands owners of the lands which falls within the very same acquisition proceedings, sought for a reference and based on the same, proceedings were held before the Sub Court, Poonamallee and the Principal District Judge, Thiruvallur and the compensation amount was enhanced for the adjacent lands.

4. In the light of the above development, if the petitioner also falls within the same acquisition and the land owners of the adjacent lands have been granted enhanced compensation by the reference Court, the petitioner will be entitled for enhancement of compensation under section 28A of the Land Acquisition Act, 1894.

5. In view of the above, there shall be a direction to the petitioner to submit a representation before the 3rd respondent seeking for enhancement of compensation under Section 28A of the Land Acquisition Act, 1894 by forwarding all the relevant documents. On receipt of the same, the 3rd respondent shall deal with the representation in line with the orders passed by



the reference Court enhancing the compensation and appropriate orders shall be passed, within a period of eight weeks from the date of receipt of the representation from the petitioner.

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

25-03-2025

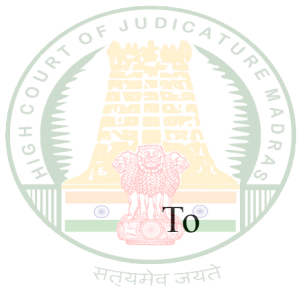
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To

1. Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development
Department, Fort St. George, Chennai -
600 009.

2. Member Secretary,
Chennai Metropolitan Development
Authority,
No.8, Gandhi Irwin Road, Egmore,
Chennai - 600 008.

3. The District Collector,
Tiruvallur District Collectorate,
Tiruvallur-602 001

4. The Special Tahsildar,
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Outer Ring Road Scheme, Phase I,
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Chennai Metropolitan Development
Authority, Koyambedu, Chennai - 600
092.

6. The Special Tahsildar,
Land Acquisition, Chennai Outer Ring
Road Project (ORR) Phase-I,
Poonamallee.



7. The Secretary

Government of Tamil Nadu

Public Works Department, Fort St.
George, Chennai - 600 009.



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N.ANAND VENKATESH J.

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