



W.P.No.39974 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.39974 of 2024

L.Santhosh Kumar

...Petitioner

Vs

1.The District Collector

Thiruvallur District,
Thiruvallur Collector Office Complex,
NH-205, Master Plan Complex,
Chennai – Thiruttani Highway,
Thiruvallur – 602 001.

2.The Special District Revenue Officer (L.A),

Chennai Peripheral Ring Road Project,
Administrative Office Block (Ground Floor),
SIDCO Branch Office Complex,
Ambattur Industrial Estate,
Chennai – 600 058.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue Writ of Mandamus, directing the respondents to consider and pass orders on the representation submitted by the petitioner dated 09.09.2023 and 01.11.2023 to the respondents 1 and 2 to refer the matter to the appropriate and competent authority as per Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, (Central Act 30/2013) act for enhancement of compensation.

For Petitioner : M/s.B.Sasidaran

For Respondents : Mr.A.Selvendran



W.P.No.39974 of 2024

Special Government Pleader

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ORDER

The Writ Petition has been filed for the following relief:-

To direct the respondents to consider and pass orders on the representation submitted by the petitioner dated 09.09.2023 and 01.11.2023 to the respondents 1 and 2 to refer the matter to the appropriate and competent authority as per Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, (Central Act 30/2013) act for enhancement of compensation.

2.Since the provisions of the fair compensation would not apply to the case on hand as the acquisition is under the Tamil Nadu Highways Act, which is exempted by reason of subsection 105 A which has been inserted by the Tamil Nadu Act. Therefore the provisions of this Act will not apply to the Tamil Nadu Highways Act which has been set out in the 5th Schedule to the Fair Compensation Act. The petitioner's representations dated 09.09.2023 and 01.11.2023 shall be considered as a request seeking reference under Section 20, within a period of three months from the date of receipt of copy of this order.



W.P.No.39974 of 2024

3. Accordingly, the Writ Petition is disposed of. No costs.

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06.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep

P.T.ASHA, J.



W.P.No.39974 of 2024

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To

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