



W.P.No.3316 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 3316 of 2025

&

W.M.P.No. 3687 of 2025

M/s.ARDS Film Factory Private Ltd
Rep by its authorised signatory, R.M.Elamparithi,
No.196, Bells Road,
Chepauk, Chennai-600 005

...Petitioner

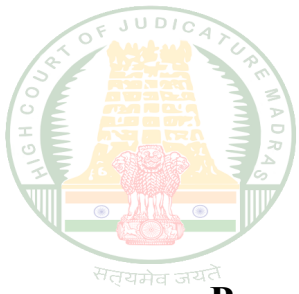
Vs.

1.The District Collector
Chengalpattu District,
Chengalpattu

2.The District Revenue Officer
The District Revenue Office,
Chengalpattu District

3.The Special Tahsildar (Land Acquisition)
Radial Road Scheme,
Thiruporur Taluk,
Tambaram,
Chengalpattu District

...Respondents



W.P.No.3316 of 2022

WEB COPY

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to make reference to the competent civil court on the objection raised by the petitioner and representation dated 16.12.2021 sent by the petitioner to adjudicate the issue for enhancement of compensation to the land to an extent of 1040 sq.mts comprised in Survey nos.204/1b5, situated at Thiruporur village and taluk, Chengalpattu district which was acquired by the 2nd respondent, under Section 20 of the Tamilnadu Highways Act 2001 , r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 and direct the respondents to pay interest for the compensation amount under Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013.

For Petitioner : Mr. V.C.Janarthanan
For Mr. M.Venkadesh Kumar

For Respondents : Mr. P.Sathish
Additional Government Pleader.



WEB COPY



W.P.No.3316 of 2022

ORDER

The Writ Petition is filed for the following relief:

“To direct the 1st respondent to make reference to the competent civil court on the objection raised by the petitioner and representation dated 16.12.2021 sent by the petitioner to adjudicate the issue for enhancement of compensation to the land to an extent of 1040 sq.mts comprised in Survey nos.204/1b5, situated at Thiruporur village and taluk, Chengalpattu district which was acquired by the 2nd respondent, under Section 20 of the Tamilnadu Highways Act 2001 , r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 and direct the respondents to pay interest for the compensation amount under Section 80 of the Right to Fair Compensation and Transparency in Land



W.P.No.3316 of 2023

Acquisition Rehabilitation and Resettlement Act 2013.”

WEB COPY

2. The contention of the petitioner is that an extent of 1040 sq.ft., in S.No.204/1B5, Thiruporur Village, Chengalpattu District, belonging to the petitioner was acquired by the 2nd respondent for the purpose of the construction of the six lane road from Siruseri to Mahabalipuram.

3. The 2nd respondent passed an award No.1 of 2021 on 10.02.2021. It is the contention of the petitioner that he has been completely kept in dark about the proceedings right from the commencement of the acquisition proceedings right upto the formation of the road and no notice was served at any point in time.

4. That apart, the respondents failed to furnish copies of any of the document including the award. Since the compensation awarded was low, the petitioner sent a detailed representation under Section 20 of the Tamil Nadu Highways Act, requesting the respondents to refer the matter to the competent Civil Court for enhancement of the



W.P.No.3316 of 2020

compensation. This representation has been made on 16.12.2021.

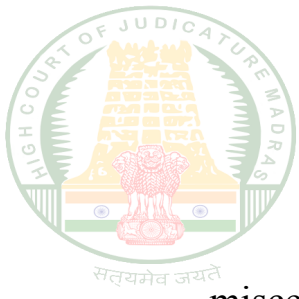
WEB COPY

5. Despite 3 years having gone by, no steps whatsoever has been taken by the 1st respondent to refer the matter to the competent Civil Court. Therefore, the petitioner is before this Court.

6. Heard the learned counsels on the either side and perused the records.

7. The 1st respondent who has a statutory duty to refer the claims for enhancement of compensation to the competent Civil Court has refused to discharge his statutory duty for over 3 years.

8. Therefore, a mandamus is issued to the 1st respondent to refer the claim of the petitioner to the competent Civil Court as contemplated under the Act, within a period of 3 weeks, from the date of receipt of a copy of this order.



W.P.No.3316 of 2023

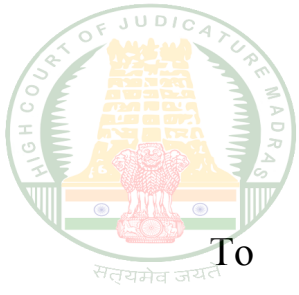
9. The Writ Petition is allowed. Consequently, the connected

miscellaneous petition is closed. No costs.

WEB COPY

31.01.2025

Index : Yes/No
Internet : Yes/No
kan



W.P.No.3316 of 2023

To

WEB COPY

- 1.The District Collector
Chengalpattu District,
Chengalpattu
- 2.The District Revenue Officer
The District Revenue Office,
Chengalpattu District
- 3.The Special Tahsildar (Land Acquisition)
Radial Road Scheme,
Thiruporur Taluk,
Tambaram,
Chengalpattu District



WEB COPY



W.P.No.3316 of 2025

P.T. ASHA, J,

kan

W.P.No. 3316 of 2025

31.01.2025