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W.P.No.1200 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1200 of 2025

M/s.H.M.Brothers Private Limited,
Represented by one of its Director,
Mr.Nandakumar Seethapathi,
No.13, Errabalu Chetty Street,
Parry's, Chennai - 600 001.

... Petitioner

Vs.

1. The Special Tahsildar,
Land Acquisition,
National Highways office,
Poonamallee - 600 056.

2. The District Collector,
First Floor,
Collectorate,
Chennai - 602 001.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to consider the representation dated 19.11.2024 made by the petitioner and consequently direct the 1st respondent to release the compensation along with interest.

For Petitioner : Mr.Leelesh Sundaram
For M/s.Nathan and Associates

For R1&R2 : Mr.A.Selvendran
Special Government Pleader

ORDER



The petitioner seeks a mandamus to the second respondent to consider the petitioner's representation dated 19.11.2024 and consequently direct the first respondent to release the compensation along with interest.

2. It is the case of the petitioner that the petitioner Company is the absolute owner of the property comprised in S.No's. 406/10C2, 406/11B, 406/10C1B, 406/11A2, situated at No.79, Kilmudalambedu Village in Gummidipoondi Taluk.

3. The petitioner would submit that in the year 2002, the Government of Tamil Nadu acting through the Highways Department initiated land acquisition proceedings for the purpose of expanding the adjacent highways. As part of this project, the lands surrounding the highways including the subject property were earmarked for acquisition and an official notification was duly issued by the Government. Subsequent to the official notification, the petitioner, along with other affected land owners, submitted a formal grievance to the District Collector, Thiruvallur against the acquisition. However the District Collector simply enhanced the compensation, and the revised compensation including interest at the rate of 9% per annum from the date of acquisition. However the said amount has not been disbursed to till date. On 19.11.2024, the petitioner made a representation to the second respondent to disburse the amounts to which



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there was no response. Therefore, the petitioner has knocked the doors of this Court.

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4. Heard the learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader takes notice on behalf of R1&R2.

5. The fact remains that the petitioner's land have been acquired and the District Collector exercising authority has also enhanced the compensation together with interest and the enhanced award has been passed. However the respondents have neither disbursed the compensation amount nor disposed of the petitioner's representation. Therefore, the second respondent has failed in his statutory duty.

6. Accordingly, the Writ Petition is allowed and a mandamus is issued to the second respondent to consider the petitioner's representation dated 19.11.2024 after giving liberty to the petitioner and thereafter pass orders directing the first respondent to release the compensation. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

22.01.2025

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Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To :

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P.T. ASHA. J.,



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