

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2016

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 16865 of 2016
&
W.M.P. No. 14459 of 2016

Dr.K.V.S.Kumar

..Petitioner

Vs.

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare
Department,
Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai 600 009.
2. The Director,
Adi Dravidar and Tribal Welfare
Department,
Chepauk, Chennai - 600 005.
3. The District Collector,
Collectorate,
Tiruvallur District 602001.
4. The Commissioner of Land
Administration,
Ezhilagam,
Kamarajar Salai,
Chepauk,
Chennai 600 005.
5. The District Adi Dravidar and
Tribal Welfare Officer,
Collectorate,
Tiruvallur - 602 001.
6. The Special Tahsildar,
Department of Adi Dravidar and
Tribal Welfare,
RDO Office, Ground Floor,
Thiruttani.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to consider the representation dated 29.03.2016 and pass appropriate orders, within a stipulated time limit.

For Petitioner :: Mr.M. Mohamed Muzammil

For Respondents:: Mrs.T. Girija,
Govt. Advocate

O R D E R

The lands, belonging to the petitioner, comprised in S.No. 39/1G, of extents of 72 cents, 84 cents, 94 cents and in S.No. 39/1H, to an extent of 70 cents, in all, totalling to 3 acres 20 cents, situated in Rajapadmapuram Village, Thiruttani Taluk, Tiruvallur District, were acquired for the purpose of providing house sites to Irular community people and by private negotiations, the 5th respondent, by below stated proceedings dated 16.09.2015, fixed the compensation as follows:

PROCEEDINGS	SURVEY NO.	EXTENT	VALUE
Na.Ka.No.J1/23793/2015	39/1G	94 cents	Rs. 55, 83, 041/-
Na.Ka.No.J1/24153/2015	39/1G	72 cents	Rs. 42, 76, 372/-
Na.Ka.No.J1/24221/2015	39/1G	84 cents	Rs. 49, 89, 101/-
Na.Ka.No.J1/24151/2015	39/1H	70 cents	Rs. 41, 57, 584/-

Though the above compensation amounts, payable to the petitioner, were determined and the proceedings were passed, as early as on 16.09.2015, the amounts were not paid to the petitioner. Therefore, the petitioner gave a representation to the respondents on 29.03.2016 praying for payment of the compensation amounts without any further delay. Since it did not evoke any response, the petitioner has come forward with the present writ petition.

2. Heard Mr.M. Mohamed Muzammil, learned counsel for the petitioner and Mrs.T. Girija, learned Government Advocate for the respondents.

3. There is no dispute with regard to the acquisition of the aforementioned lands belonging to the petitioner by the respondents, for the purpose of providing house sites to Irular community people and also the determination of the compensation amount payable to the petitioner by proceedings of the 5th

respondent dated 16.09.2015. However, the fact remains that, in spite of representation made by the petitioner, he is yet to receive the compensation amount from the respondents. In such circumstances and in the light of the proceedings of the 5th respondent dated 16.09.2015, this Court is inclined to direct the 2nd respondent to send a proposal to the 1st respondent seeking approval or sanction of grant, with regard to payment of compensation to the petitioner, within a period of three weeks from the date of receipt of a copy of this order. On receipt of the proposal, the 1st respondent is directed to consider and sanction the grant or the amount, within a period of four weeks thereafter.

4. The writ petition is disposed of on the above terms.

5. For reporting compliance, call on 8th August, 2016.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

nv
To

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare
Department,
Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai 600 009.

2. The Director,
Adi Dravidar and Tribal Welfare
Department,
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3. The District Collector,
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Tiruvallur District 602001.

4. The Commissioner of Land
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Chepauk,
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5. The District Adi Dravidar and
Tribal Welfare Officer,
Collectorate,
Tiruvallur - 602 001.
6. The Special Tahsildar,
Department of Adi Dravidar and
Tribal Welfare,
RDO Office, Ground Floor,
Thiruttani.

+1cc to Mr.A. Madhumathi, Advocate, S.R.No.29867

+1cc to the Government Pleader, S.R.No.30215

NR(CO)
EU(20/06/2016)

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