

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-03-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.27114 OF 2015

Ramadas Sankaran,
represented by his Power Agent
B.John Jayaharan.

...

Petitioner

-vs-

1.Secretary to Government,
Commercial Taxes,
Secretariat,
Chennai.

2.The Special Tahsildar,
(Land Acquisition),
Unit-III, Thirumangai Alwar Street,
Sriperumbudur, Kancheepuram District,
Tamil Nadu-602 105.

...

Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents to award compensation for Survey No.295/5A measuring 43 cents, 301/2A measuring 22 cents, 301/2B measuring 23 cents, 301/3 measuring 28 cents, 301/4 measuring 40 cents, 301/5 measuring 40 cents, 301/6 measuring 40 cents, 301/7 measuring 12 cents, 301/8 measuring 94 cents, 301/9 measuring 33 cents and 301/10 measuring 29 cents at Vengadu Village and reassess compensation for the property in Survey No.302/4A measuring 45 cents, 302/6 measuring 30 cents and 304/2 measuring 31 cents at Vengadu Village.

For petitioners : Mr.K.Balajee

For respondents : Mr.R.Rajeswaran,
Spl.Govt.Pleader.

O R D E R

Petitioner has filed this Writ Petition, for a direction to the respondents to award compensation for the properties in Survey No.295/5A measuring 43 cents, 301/2A measuring 22 cents, 301/2B measuring 23 cents, 301/3 measuring 28 cents, 301/4 measuring 40 cents, 301/5 measuring 40 cents, 301/6 measuring 40 cents, 301/7 measuring 12 cents, 301/8 measuring 94 cents, 301/9 measuring 33 cents and 301/10 measuring 29 cents at Vengadu Village and reassess compensation for the property in Survey No.302/4A measuring 45 cents, 302/6 measuring 30 cents and 304/2 measuring 31 cents at Vengadu Village.

2. According to the petitioner, he is lawfully entitled to claim compensation in respect of the lands in question. It appears that the lands stood in the name of one Sankaran and the second respondent who was aware that the said Sankaran was no more, issued a notice dated 24.08.2010 to the petitioner, represented by his Power Agent, who has filed this Writ Petition, intimating that the said lands were acquired for the purpose of SIPCOT Industrial Estate, and also directing him to appear before the second respondent on 02.09.2010 with necessary documents. The Power Agent is stated to have appeared before the second respondent on the said date and thereafter since no action has been taken, he submitted a representation, dated 24.03.2011, to the second respondent, pointing out the inordinate delay in finalising the matter. Thereafter, the second respondent, by a memo, dated 28.03.2011, has stated that compensation has been arrived at for three survey numbers at Rs.15,90,000/- and the remaining documents are being perused. On receipt of the same, the petitioner has given another representation on 23.07.2014, stating that though such communication was sent in 2011, nothing thereafter transpired. With these facts, the petitioner seeks for appropriate direction.

3. Learned Special Government Pleader, appearing for the respondents, has produced a bunch of papers, being the written instructions given by the second respondent to him, dated 23.10.2015. If alone the second respondent has sent a reply to the petitioner, the entire exercise of the petitioner for approaching this Court could have been avoided.

4. In the light of the above circumstances, this Court is inclined to issue an appropriate direction to the second respondent to pass a speaking order on the petitioner's representations and communicate the same to the petitioner the exact state of affairs. Accordingly, this Writ Petition is disposed of, directing the second respondent to communicate the petitioner a speaking order on the request made by the petitioner, so as to enable him to work out his remedy in the manner known to law. The above direction shall be complied with by the second respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

dixit

To

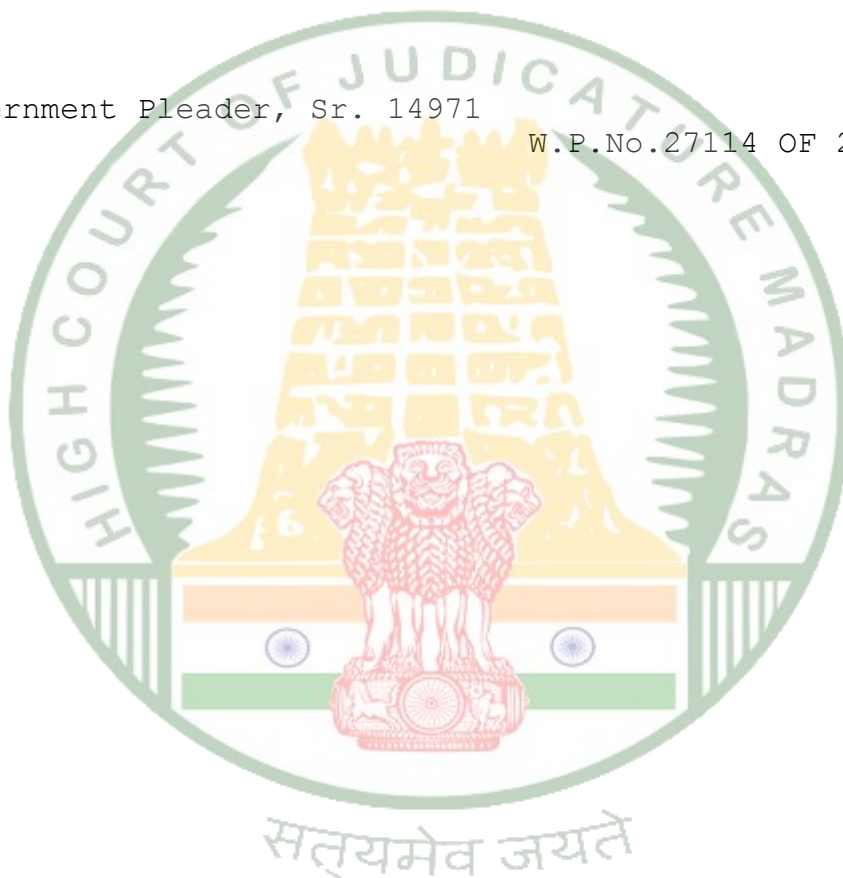
1. Secretary to Government,
Commercial Taxes,
Secretariat,
Chennai.

2. The Special Tahsildar,
(Land Acquisition),
Unit-III, Thirumangai Alwar Street,
Sriperumbudur, Kancheepuram District,
Tamil Nadu-602 105.

1 cc to Government Pleader, Sr. 14971

W.P.No.27114 OF 2015

RSY (CO)
kk 23/3



WEB COPY