

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.29913 of 2016

R.Aravamudan

...

Petitioner

Vs

1.The State  
Rep.by Secretary,  
Industries Department,  
Fort St.George,  
Chennai - 600 009.

2.The District Collector,  
Kancheepuram - 631 501.

3.The Special Tahsildar (LA)  
SIPCOT / Sriperumbudur Scheme  
Irungattukottai,  
Sriperumbudur Taluk - 602 117.

.... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issue of writ of Mandamus directing the 3<sup>rd</sup> respondent to consider the representation of the petitioner dated 03.08.2015 for payment of the award amount with interest.

For Petitioner : Mr.G.Thyagarajan

For Respondents: Mr.V.Jayaprakash Narayanan  
Special Govt. Pleader

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O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner purchased a plot in Sriperumbudur in "Rajiv Ideal Garden" bearing Plot No.35 from one Mrs.Poornima Gowtham on 27.05.1998. Subsequently, the petitioner came to understand that the land which he had purchased was acquired by

the third respondent for SIPCOT / Sriperumbudur Scheme and an award was passed in the year 2006 itself in favour of the erstwhile owner, even though the petitioner became the owner of the plot as on 27.05.1998. Though the award was passed as early as on 17.11.2006, for the past one decade, the compensation has not been paid to the petitioner. Hence, the petitioner gave representation to the 3<sup>rd</sup> respondent. Since no order has been passed till date, the petitioner has approached this court by way of this writ petition.

3. Heard Mr.G.Thyagarajan, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. It is evident from the sale deeds filed by the petitioner that the petitioner has purchased the plot in the year 1998. However, the revenue record has not been mutated in favour of the petitioner and therefore, when the land acquisition proceedings were initiated, it seems the award in respect of the properties acquired, was passed in favour of the erstwhile owner. Though the award stands in the name of the erstwhile owner, as a owner as on date, the petitioner has approached this court for a writ of mandamus directing the respondent to consider his representation and pay the compensation as per the award passed.

5. Since the revenue record has not been changed in the name of the petitioner, the award was passed in favour of the erstwhile owner. However, the petitioner has given representation of the 3<sup>rd</sup> respondent to consider his case for payment of the award amount in his favour alongwith interest.

6. As the petitioner has already approached the third respondent seeking respective relief, it is appropriate to direct the third respondent to consider and pass orders. Accordingly, the third respondent is directed to consider the representation of petitioner and pass orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order, after giving notice to the petitioner as well as the erstwhile owner so that any future claim can be avoided.

7. With the above direction, the writ petition is disposed of. No costs.

8. Post the matter for compliance on 28.11.2016.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

rgr

To

1.The Secretary,  
Industries Department,  
Fort St.George,  
Chennai - 600 009.

2.The District Collector,  
Kancheepuram - 631 501.

3.The Special Tahsildar (LA)  
SIPCOT / Sriperumbudur Scheme  
Irungattukottai,  
Sriperumbudur Taluk - 602 117.

4.The Section Officer,  
Writ Section,  
High Court, Madras

1 cc to Mr.G.Thiyagarajan, Advocate, sr.48890  
1 cc to Government Pleader, sr.49837

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kra 06.09.2016

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