

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2016

Coram

The Hon'ble Mr.Justice T.S.SIVAGNANAM

Writ Petition No.9656 of 2016

N.Janakiraman

...Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. by its Secretary to Government,
Industries Department,
Fort St.George, Chennai - 9.
2. The Chairman and Managing Director,
SIPCOT, 19, A.R.L.Pathy Road,
Egmore, Chennai -8.
3. The Special Tahsildar (Land Acquisition)
TACID Unit (Orakadam)
Industrial Estate, SIPCOT, Sriperumbudur,
Kanchipuram PIN - 602 105.Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 03.10.2015, to reconvey the residential plot, measuring 2040 sq.ft. belonging to the petitioner, which has been acquired by the third respondent, the Award No.2/2001, dated 06.07.2001, within the time limit fixed by this Court.

For Petitioner : Mr.P.Uma

For Respondents : Mr.R.Lakshminarayanan
Additional Government Pleader

WEB COPY
O R D E R

Heard Ms.P.Uma, the learned counsel appearing for the petitioner, and Mr.R.Lakshminarayanan, the learned Additional Government Pleader, who accepts notice for respondents.

2. The petitioner has filed this Writ Petition seeking for a direction upon the respondents to re-convey the land, which was acquired by the respondent/Government for industrial

purpose, for the project promoted by SIPCOT. The petitioner has sought for re conveyance of his land on the ground that the land has not been utilized till date. This stand appears to be factually incorrect, since acquisition proceedings have already been concluded, and the land has been taken over and handed over to SIPCOT for the project. Furthermore, compensation amount has been deposited before the Sub Court, Kancheepuram, and the matter is now pending before the Sub Court, Kancheepuram, in Land Acquisition Original Petition No.207 of 2010. Therefore, the question of re-conveying the petitioner's land does not arise. Hence, the prayer sought for by the petitioner to reconvey the land has to be necessarily rejected, and accordingly, the prayer is rejected. After this Court passed such an order, the learned counsel appearing for the petitioner submitted that, atleast, the matter pending before the Reference Court/Sub Court, Kancheepuram, in L.A.O.P.No.207 of 2010, may be expedited. It is not known as to what is the extent of the land acquired for the project by SIPCOT, and how many Land Acquisition Petitions are pending before the Reference Court, claiming for enhancement of compensation. In any event, the Petition is of the year 2010, and the matter has been pending for nearly more than five years, hence, this Court opines that the Reference Court, Sub Court, Kancheepuram, should give priority to the matter. Accordingly, while rejecting the prayer sought for by the petitioner to reconvey the land, as stated above, there will be a direction to the Sub Court, Kancheepuram, to give priority to the Land Acquisition Original Petitions, such as the case relating to the petitioner in L.A.O.P.No.207 of 2010, and take up the matter and dispose of the same in accordance with law within a period four months from the date of receipt of a copy of this order. The Presiding Officer of the Sub Court, Kancheepuram, shall endeavour to settle the matter either by Mediation, or before the Lok Adalath, and if no settlement is arrived at, then, the L.A.O.Ps may be taken up for disposal expeditiously. In the event of genuine difficulty, the Presiding Officer of the Sub Court, Kancheepuram, is entitled to seek for extension of time from this Court.

3. With the above observations, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Sub Judge, Kancheepuram.
- 2 The Secretary to Government,
Industries Department,
Fort St.George, Chennai - 9.
- 3.. The Chairman and Managing Director,
SIPCOT, 19, A.R.L.Pathy Road,
Egmore, Chennai -8.
4. The Special Tahsildar (Land Acquisition)
TACID Unit (Orakadam)
Indusrial Estate, SIPCOT, Sriperumbudur,
Kanchipuram PIN - 602 105.

1 cc to M/s. P. Uma, Advocate SR.17268
1 cc to the Government Pleader Sr.16986

Writ Petition No.9656 of 2016

MP (CO)
Eu 30.03.16



WEB COPY