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In the High Court of Judicature at Madras

Dated : 20.7.2018

Coram :

The Honourable Mr. Justice T.S. SIVAGNANAM

Contempt Petition No.1053 of 2018

C.Sasikumar

...Petitioner

Vs

Smt.Sundaravalli, IAS, District
Collector, Tiruvallur, Tiruvallur
District.

...Respondent

PETITION under Section 11 of the Contempt of Courts Act to punish the respondent in accordance with law for disobeying the order dated 04.1.2016 passed in W.P.No.40772 of 2015.

For Petitioner : Mr.S.Udayakumar
For Respondent : Mr.C.Manishankar,
AAG assisted by
Mr.A.Krishnamurthy, GA

ORDER

Heard both.

2. When the above contempt petition came up for hearing on 20.6.2018, this Court passed the following order :

"Mr.C.Mani Shankar, learned Additional Advocate General appearing on behalf of the respondent - contemnor submitted that the compensation payable to the petitioner for the land utilized would be determined in accordance with



the compensation.

List the matter on 20.7.2018 ."

3. Pursuant to the observations/directions contained in the said order, the petitioner was requested to attend a discussion for private negotiations and it appears that no solution could be arrived at in the private negotiations and consequently, in terms of the directions issued by this Court, now the respondent initiated proceedings under Section 15(2) of the Tamil Nadu Highways Act, 2001. In this regard, a status report has been filed by the District Collector, the operative portion of which reads as follows :

"In this case, Aththangikavanoor Village, Uthukottai Taluk falls within 30 Kms from urban area (named Periyapalayam), the Committee can negotiate 275% of the market value of Rs.6,100/- per cent or Rs.150.62 Ps per sq.mtr., as arrived by calculating the sales statistics from 09.6.2017 to 09.6.2018 based on document No.1684/2018 dated 06.6.2018 of SRO, Arani. After negotiation of 275%, the market value comes to Rs.1,28,403.55 Ps. The amount comes within the power of the District Level Private Negotiation Committee and the Committee offered to pay the compensation. But the contempt petitioner did not accept to receive the compensation amount being meager and requested to pay the compensation through new RFCTLARR Act,



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2013.

It is submitted that notice under Section 15(2) of the Tamil Nadu Highways Act, 2001 was published and enquiry with the land owner has been conducted on 11.7.2018. The land owner will be given compensation in due course after completing the land acquisition procedure as contemplated in the above said Act."

4. In the said status report, the District Collector further stated that she has high regard for this Court and has no intention to disobey the directions and will take necessary steps to comply with the order of this Court. This statement is qualified by submitting that notwithstanding the above said submission, if this Court is of the considered opinion that the respondent committed any act of contempt, she once again tenders her unconditional apology for the same.

5. The apology tendered by the respondent is accepted. As the respondent has already initiated action under Section 15(2) of the Tamil Nadu Highways Act, 2001, the respondent is directed to proceed with the same as expeditiously as possible and strictly adhere to the time line fixed under the Statute. It is seen that the notice under Section 15(2) of the Tamil Nadu Highways Act, 2001 has been issued by the District Revenue Officer,



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to monitor the progress in the matter.

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6. With the above observations, the above contempt petition stands disposed of. Consequently, the connected Sub.Application is closed.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

rs

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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PS/19/11/2018