

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07-08-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.6028 of 2017

Gulnaz Parveen ... Petitioner

Versus

- 1.The Secretary,
Government of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai-600 009.
 - 2.The District Collector,
Kancheepuram District,
Kancheepuram.
 - 3.The Special Tahsildar (L.A.),
SIPCOT-TACID Division,
Oragadam Scheme,
Irungattukottai-602 117,
Sriperumbudur Taluk.
 - 4.The Managing Director,
SIPCOT,
19, Rukmani Lakshmipathi Road,
Egmore,
Chennai-600 008.
- ... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 12.2.2016 in respect of her Plot No.500, in VGP Mount View, comprised in Survey No.16 (now 16/4), Panruti Village, Sriperumbudur Taluk, Kancheepuram District, measuring a total extent of 2400 square feet acquired under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and determine and pay the fair compensation to the petitioner as per The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013).

For Petitioner : Mr.S.Mohamed Yousuf
For Respondents-1&2 : Mr.M.Elumalai,
Government Advocate.
For Respondents-3&4 : Mr.Sudharshana Sunder

O R D E R

The learned counsel, appearing on behalf of the writ petitioner, fairly made a submission that an Interim Award in respect of the land acquisition notified has been passed. The Interim Award was passed on 31.8.2015 and an interim compensation also was fixed by the authorities competent.

2. However, the request of the writ petitioner for enhancement of compensation has not been considered at the time of passing an Interim Award. In this regard, the Special Tahsildar Land Acquisition, SIPCOT, filed a counter affidavit stating that "the compensation now fixed is only an interim measure and final valuation will be fixed as per the guidelines to be issued by the Government as per G.O.Ms.No.45, Industries (SIPCOT-LA) Department, dated 14.5.2014 and the writ petitioner may make full use of it". Thus, the respondents have agreed to consider the request as well as the grounds raised by the writ petitioner, at the time of passing of the Final Award.

3. In this view of the matter, the respondents are directed to consider the representation and the grounds raised therein, at the time of passing the Final Award in respect of the land acquisition made against the property belongs to the writ petitioner. The writ petitioner may submit any further representations or objections, in this regard, before the respondents in person and the respondents shall give an opportunity of personal hearing to the writ petitioner, enabling her to present her grievances.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS vii)
//True Copy//

Sub Assistant Registrar

Svn

To

1.The Secretary,
Government of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Special Tahsildar (L.A.),
SIPCOT-TACID Division,
Oragadam Scheme,
Irungattukottai-602 117,
Sriperumbudur Taluk.

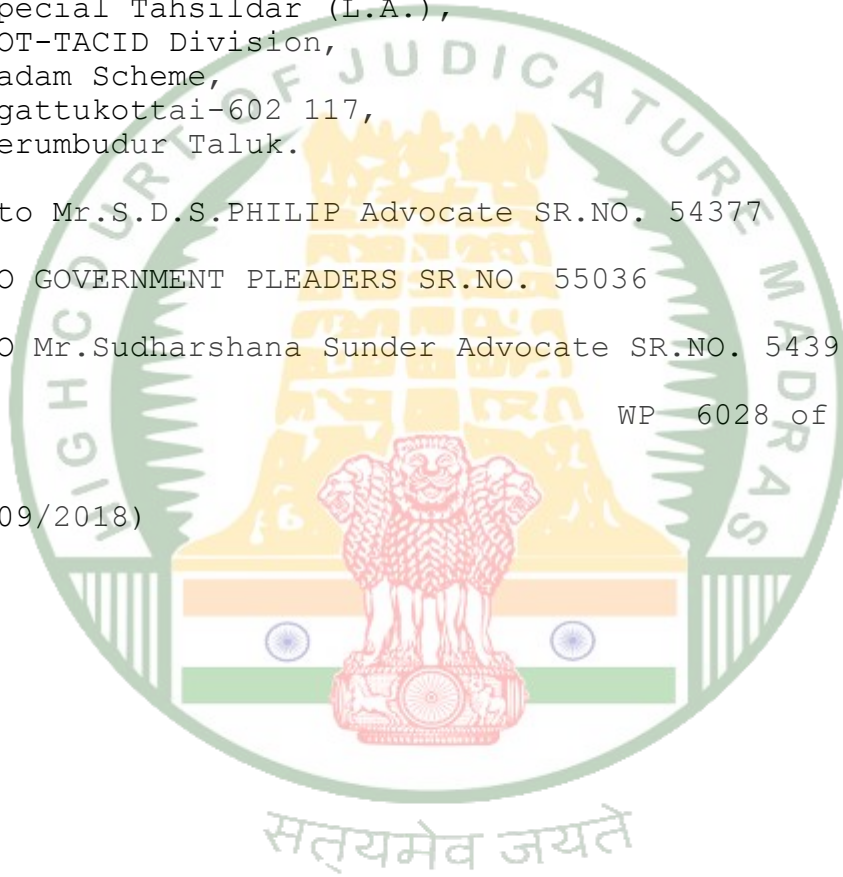
+2 ccs to Mr.S.D.S.PHILIP Advocate SR.NO. 54377

+1 CC TO GOVERNMENT PLEADERS SR.NO. 55036

+1 CC TO Mr.Sudharshana Sunder Advocate SR.NO. 54390

WP 6028 of 2017

KK (CO)
ASK(05/09/2018)



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