

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.7264 of 2018

M.Elumalai

...Petitioner

Vs.

1. The Secretary to Government,
Industrial Department,
Fort St. George,
Chennai - 600 009.
 2. The Secretary to Government,
Finance Department,
Fort St. George,
Chennai - 600 009.
 3. The Managing Director,
SIPCOT,
Egmore,
Chennai - 600 008.
 4. The District Collector,
Kancheepuram District.
 5. The Special Tahsildar (L.A.)
SIPCOT, Unit-II,
Sriperumbudur Expansion Scheme -II,
Sriperumbudur, Kancheepuram.
- ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to disburse to the interest for the amount of compensation awarded from the date of acquisition of the petitioner's lands as per Section 12 of the Tamil Nadu Acquisition of Lands for Industrial Purpose Act, 1997 (Act No.10 of 1999) and by considering the petitioner's representation dated 29.01.2018.

For Petitioner : M/s.S.Gowsik Sundar

For Respondents : Mr.Akhil Akbar Ali, G.A.(for RR1, 2, 4 & 5)
Mrs.B.Sudharsana Sundar (for R3)

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice for the respondents 1,2,4 and 5 and Mrs.B.Sudharsana Sundar, learned counsel takes notice for the 3rd respondent. By consent, the Writ Petition is taken up for final disposal.

2. The case of the petitioner is that the lands in Survey Nos.128/10B, and 128/20B belong to his family. In the year 2009, the Government initiated acquisition proceedings to establish SIPCOT, Sriperumbudur Expansion Scheme. The lands of the petitioner was acquired and possession was taken on 07.05.2012. However, the respondents have paid the award amount on 20.10.2017, pursuant to the Award No.14 of 2017, dated 30.06.2017.

3. According to the petitioner, he is entitled for interest for the delayed period. Hence, he sent a representation dated 29.01.2018. Since no favourable reply, the present Writ Petition.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the 5th respondent to consider the representation of the petitioner.

5. The learned Government Advocate for the respondents 1,2,4 and 5 submitted that only interim award has been passed and a final award will be passed in future.

6. Considering the grievance expressed by the petitioner and the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the 5th respondent to pass appropriate orders on the representation of the petitioner dated 29.01.2018, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

pvs

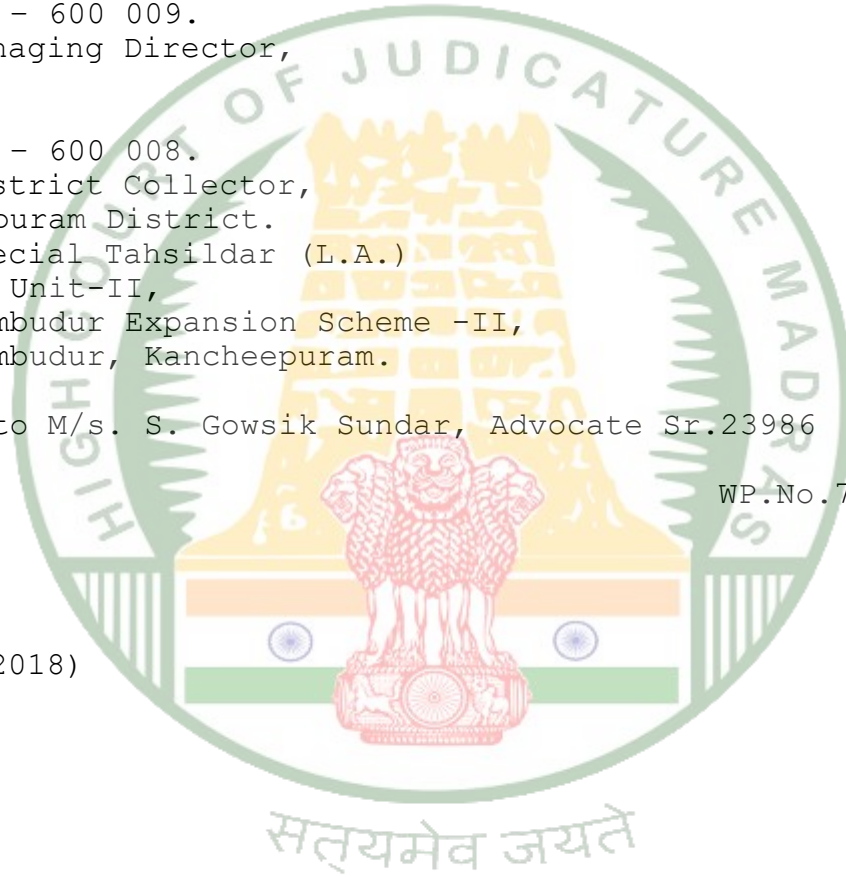
To

1. The Secretary to Government,
Industrial Department,
Fort St. George,
Chennai - 600 009.
2. The Secretary to Government,
Finance Department,
Fort St. George,
Chennai - 600 009.
3. The Managing Director,
SIPCOT,
Egmore,
Chennai - 600 008.
4. The District Collector,
Kancheepuram District.
5. The Special Tahsildar (L.A.)
SIPCOT, Unit-II,
Sriperumbudur Expansion Scheme -II,
Sriperumbudur, Kancheepuram.

+ 1 cc to M/s. S. Gowsik Sundar, Advocate Sr.23986

WP.No.7264 of 2018

NRI (CO)
EU (24/04/2018)



WEB COPY