

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.03.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No.4541 of 2018

V. Kalaivani

...Petitioner

Versus

1. The District Collector,
Kancheepuram District.

2. The Special Tahsildhar (Land Acquisition),
Unit - 1, SIPCOT,
Irunkattukottai Expansion Scheme,
Thiruperumputhur,
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of a Writ of Mandamus directing the respondents to disburse the pending interest amount from 18.05.2009 to till date for the land acquired at S.NO.46/B at Pillaipakkam Village, Sriperumbuthur Taluk, Kancheepuram District for Industrial Purpose Act, 1997.

For petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.M.Karthikeyan,
Additional Government Pleader

O R D E R

The petitioner's property in Survey No.46/B of Pillaipakkam Village, Sriperumbuthur Taluk, Kancheepuram District was taken under the provisions of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act on 13.06.2008 and an award was passed on 03.04.2009, and that no interest was paid under Section 12 of the said Act from the date of taking possession till the date of possession.

2. The learned counsel for the petitioner submitted that pursuant to the passing of the award on 03.04.2009, the compensation was paid on 18.05.2009, but the interest from the date of which the possession was taken till payment, was not paid. The petitioner sent a representation to the second respondent dated 14.10.2017 to disburse the interest amount under Section 12 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997, as per which the interest is liable to be paid at the rate of 9% per annum from the date on which possession of property was acquired was taken till the date on which payment is made.

3. Mr.M.Karthikeyan, the learned Additional Government Pleader appearing for the respondents submitted on instructions that the second respondent has regretted the lapse in not granting the interest for the period stated by the petitioner and promised to remedy the same. The said statement of the learned Additional Government Pleader is recorded.

4. Therefore, this Court directs the second respondent to bear this provision of law in mind and dispose of the representation of the petitioner within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of with the above direction. No costs.

mrr

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kancheepuram District.
2. The Special Tahsildhar (Land Acquisition),
Unit - 1, SIPCOT,
Irunkattukottai Expansion Scheme,
Thiruperumputhur,
Kancheepuram District.

+1cc to Government Pleader SR.No.17133

KK(CO)
sm:19.3.2018

सत्यमेव जयते

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