

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.9686 of 2017
and W.M.P.No.10676 of 2017

1. S.Mahesh
2. A.Manimegalai

...Petitioners

Vs.

1. The Secretary,
Ministry of Industries,
Secretariat, Chennai - 600 009.
2. The District Collector,
Kancheepuram District.
3. The Commissioner,
Land Administration,
Chepauk, Chennai - 600 005.
4. Divisional Engineer,
TNRIDC LLA Building, Chennai - 600 002.
5. Special Tahsildar,
Land Acquisition,
Oragadam Industrial Infrastructure Scheme,
Sriperumbudur, Kancheepuram District.

....Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents 2,3 and 5 to determine and disburse the compensation amount as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Act No.30 of 2013, in respect of lands which are subject matter of Award proceedings N.K.13/2010/A, dated 30.11.2011.

For Petitioners	:	Mr. R.Subramanian
For Respondents	:	Mr. D.Raja, AGP

ORDER

Heard the learned counsel for the petitioners and the learned counsel for the respondents and perused the materials

available on record.

2. This writ petition has been filed for issuance of a writ of mandamus to direct the respondents 2, 3 and 5 to determine and disburse the compensation amount as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Act No.30 of 2013, in respect of lands which are subject matter of Award proceedings N.K.13/2010/A, dated 30.11.2011.

3. According to the petitioners, they are the owners of the Plot Nos.18 and 19 in Gowtham Nagar in Survey No.195/5 & 6 of Vallam Village of Sriperumbudur Taluk in Kancheepuram District. The respondents acquired 3715 sq.ft. out of 4182 sq.ft. in Plot No.18 and 625 sq.ft. out of 3320 sq.ft. in Plot No.19 and award was passed on 15.07.2011.

4. The grievance of the petitioners is that the respondents have acquired the remaining extent of 467 sq.ft. in Plot No.18 and 1795 sq.ft. in Plot No.19, but no compensation was paid so far and they are entitled for compensation under the Act 30 of 2013.

5. The 5th respondent filed a counter affidavit stating that pursuant to the notification under Section 15 (2) of the Tamil Nadu Highways Act 2001, published in the news papers on 13.11.2009, lands were acquired and total extent of 37041 sq.ft. in Vallam 'A' Village was acquired and the owners were paid compensation by an award dated 15.07.2011 in Award No.07/2011. As regards the additional measurement, approximately an extent of 485 sq.mt. in Survey Nos.195/5 and 195/6, in the said Village will be acquired and the land owners will be paid compensation as per the provisions of the Act 30 of 2013.

6. The learned Additional Government Pleader submitted that the petitioners were already paid compensation for the lands acquired in the year 2011 and if the respondents acquire additional lands, they will be paid compensation as stated in the counter affidavit.

7. In the light of the above statement made in the counter affidavit and recording the submissions of the learned Additional Government Pleader, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

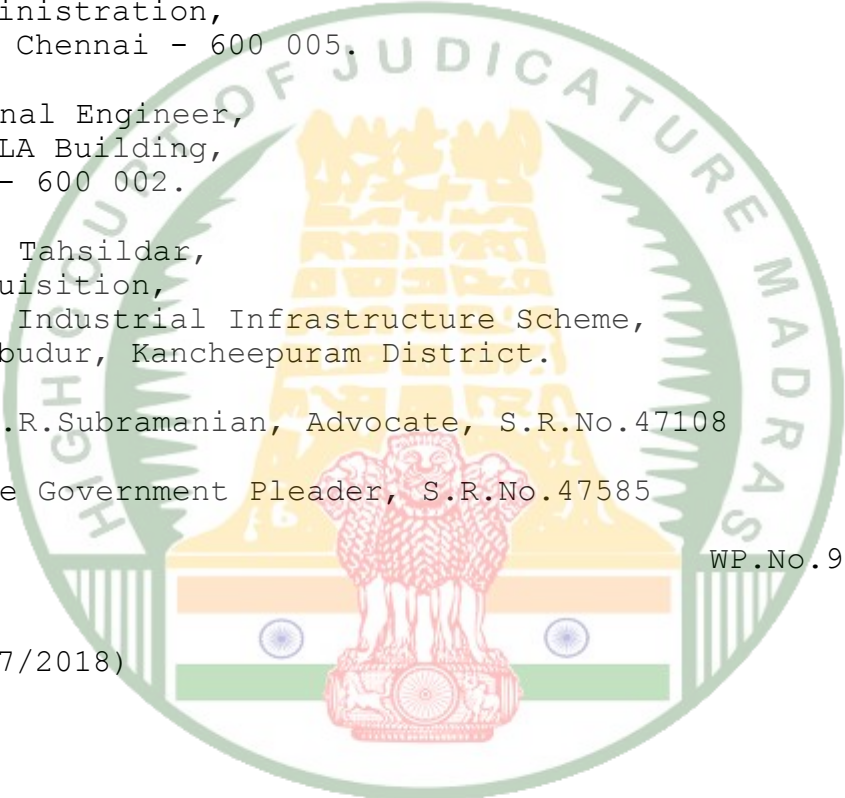
pvs

To

1. The Secretary,
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 5. Special Tahsildar,
Land Acquisition,
Oragadam Industrial Infrastructure Scheme,
Sriperumbudur, Kancheepuram District.
- +1cc to Mr.R.Subramanian, Advocate, S.R.No.47108
- +1cc to the Government Pleader, S.R.No.47585

WP.No.9686 of 2017

SPD(CO)
GSP(31/07/2018)



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