

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.9649 of 2018

Pazhani

... Petitioner

v.

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Special Thasildar (L.A.),
SIPCOT,
Unit-II & Unit-I,
Sriperumpudhur Expansion Scheme-II,
Sriperumpudhur.

3. The Managing Director,
SIPCOT,
Egmore,
Chennai - 600 008.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.03.2018 regarding the awarding of compensation for the lands acquired by the respondents.

For Petitioner : M/s.Greetha Senthilkumar

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

WEB COPY
ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.B.Sudharsana Sundar, learned Standing Counsel takes notice for the 3rd respondent. By consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final hearing at the admission stage itself.

2. The case of the petitioner is that the lands in Survey Nos.74/1A1, 71/1, 74/1B, 74/4D and 74/3 were ancestral properties, belonging to his father and his two brothers. A power of attorney in favour of one Mr.Cyril Joseph was given to develop the properties. Based on the power of attorney a lay out was formed in the name of VMR Nagar and most of the properties have been sold out and some were not sold. At this juncture, the third respondent issued a notice under Section 3 (2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, to acquire the above said lands.

3. The petitioner would state that his father Ganesan passed away on 26.11.2011 and thereby, the power of attorney would automatically cancelled. However, the said power agent had created forged documents and based on the power of attorney, executed sales deeds of some of the plots in favour of his wife and his company.

4. The petitioner would state that though the lands of the petitioner's family were acquired in the year 2010, so far, compensation was not paid. Hence, he gave a representation to the 2nd respondent on 25.03.2018 to pass an award of compensation. Since there is no response, the present Writ Petition.

5. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the second respondent to consider the representation of the petitioner.

6. The learned Government Advocate submitted that the representation of the petitioner would be considered in accordance with law.

7. In the light of the above facts and submissions of the learned counsels appearing for either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Special Thasildar (L.A.),
SIPCOT,
Unit-II & Unit-I,
Sriperumpudhur Expansion Scheme-II,
Sriperumpudhur.
3. The Managing Director,
SIPCOT,
Egmore,
Chennai - 600 008.

+1cc to M/s.Greetha Senthilkumar, Advocate, S.R.No.29818
+1cc to the Government Pleader, S.R.No.9649

W.P.No.9649 of 2018

gj(co)
cs/07/06/18

WEB COPY