

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No.4958 of 2018

J.Arul Dass

...Petitioner

Versus

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

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of a Writ of Mandamus to direct the respondents to disburse to the interest of 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).

For Petitioner : Mr.M.Karthik

For Respondents 1, 3 & 4 : Mr.E.Neelakandan
Government Advocate

Respondent 2 : Mrs.Sudharshana Sundar

O R D E R

The only grievance of the petitioner is that the petitioner's lands were acquired under the provisions of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (hereinafter referred to as "Act") and that an award was passed on 26.08.2015. But, even before the passing of the award, possession of the property was taken on 06.11.2014, and no interest was paid in terms of Section 12 of the Act from the date of taking possession till date of making payment. The petitioner also admits that compensation amount has determined Vide aforementioned award dated 26.08.2015 was paid to the petitioner on the same date.

2. Mr.E.Neelankandan, the learned Government Advocate appearing for the respondents 1, 3 and 4 and Mrs.Sudharshana Sundar, the learned counsel appearing for the second respondent. The learned counsel for the respondents submitted that if interest has not been paid in terms of Section 12, the same would be paid to the petitioner. The said statement of the counsel for the respondents are recorded.

3. This petition is accordingly disposed of with the direction to the fourth respondent/Land Acquisition Authority to pay the interest at 9% per annum from the date of taking possession on 06.11.2014 till the date of making payment, if the same has already not been paid, within a period of three months from the date of receipt of a copy of this order and make necessary payments promptly without driving the petitioner to another litigation to realise the amount payable. The respondents should inscribe in their conscience that citizens have better business to do than to queue up before the Courts for realising that which they are entitled to in law and that it would be an insult to drive the citizens to approach the Court that which the administrative machinery can do.

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

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

mrr

To

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Chennai - 600 009.
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Sriperumbudur Expansion Scheme - II,
Sriperumbudur,
Kancheepuram.

+1 CC to Govt. Pleader sr 18433.
+1 cC to Mr.M. Karthik, Advocate sr 18008.
+1 CC to Mr. Sudarshan Sundar, Advocate sr 17617.

PPA (CO)
SP (27/04/2018)

W.P.No.4958 of 2018

सत्यमेव जयते

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