

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.8943 of 2018

Zareen Taj Chowdry

... 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 Thasildar (L.A.),
SIPCOT, Unit-II,
Sriperumbudur Expansion Scheme - II,
Sriperumbudur, Kancheepuram. ... 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 disburse the interest for the amount of compensation awarded from the date of acquisition of the petitioner lands as per Section 12 of the Tamil Nadu Acquisition of Lands for Industrial Purpose Act, 1997 (Act no.10 of 1999).

For Petitioner : Ms.Greetha Senthilkumar
For Respondent : Mr.D.Raja,
A.G.P. (for RR1, 2, 4 & 5)
Mr.B.Sudharsana Sundar (for R3)

ORDER

Mr.D.Raja, the learned Additional Government Pleader takes notice for the respondents 1, 2, 4 & 5 and Mr.B.Sudharsana Sundar, the learned counsel takes notice for the 3rd respondent. By consent of the learned counsel for the parties, the Writ Petition is taken up for final disposal.

2. The prayer in the Writ Petition is to issue a direction to the respondents to disburse the interest for the payment of compensation awarded from the date of acquisition of the petitioner's land, as per Section 12 of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997.

3. The case of the petitioner is that the respondents initiated acquisition proceedings in the year 2009, for the purpose of establishing SIPCOT, Sriperumbudur Expansion Scheme-II, by issuance of a notification No.447, dated 29.11.2011. The respondents have taken possession of the land of the petitioner for the said purpose and passed an award on 30.10.2017, awarding compensation of Rs.77,97,000/-.

4. The grievance of the petitioner is that though the land owner is entitled for interest as per Section 12 of the said Act, it was not granted, despite the representation of the petitioner dated 26.02.2018.

5. The learned counsel for the petitioner submitted that in respect of the other awards passed in favour of the petitioner, he filed W.P.No.28438 of 2018. In that case, the respondents have stated that they will disburse the interest. Recording the said statement, that Writ Petition was closed.

6. The learned counsel further submitted that it would suffice, if a direction is issued to the 5th respondent to consider the representation of the petitioner, dated 26.02.2018.

7. The learned Additional Government Pleader submitted that the representation of the petitioner would be considered in accordance with law.

8. In the light of the above submissions of the learned counsel on either side and also taking note of the prayer sought for in this Writ Petition, 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 26.02.2018, on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks.

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

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to Government,
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Chennai - 600 009.
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3. The Managing Director,
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5. The Special Thasildar (L.A.),
SIPCOT, Unit-II,
Sriperumbudur Expansion Scheme - II,
Sriperumbudur, Kancheepuram.

+1cc to Mr.GREETHA SENTHILKUMAR, Advocate, S.R.No. 28545

+1cc to the Government Pleader, S.R.No. 29583

W.P.No.8943 of 2018

GJ (CO)
TR(09/05/2018)



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