

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.22006 of 2018

Sameera 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 Tahsildhar (L.A)
SIPCOT, Unit-II
Sriperumbudur Expansion Scheme-II
Sriperumbudur,
Kancheepuram.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disburse to 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 :Mr.A.K.Udhayakumar

For Respondents :Mr.D.Raja
Additional Government Pleader

O R D E R

This writ petition has been filed seeking a direction to pay interest for the amount of compensation, which was awarded to the petitioner under Section 12 of the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997 (Act No.10 of 1999).

2. According to the petitioner, her land has been acquired by the respondent under the Tamil Nadu Acquisition of land for Industrial Purpose Act, 1997 and notice was issued under section 3(1) of the Act on 07.12.2011 and possession was also taken. Then two awards have been passed, viz, on 10.11.2017 and 23.03.2018. According to the petitioner, as per Section 12 of the Act, the compensation was not paid or deposited on or before taking possession of the land. Hence, the petitioner is entitled for interest at the rate of 9 % p.a. Since the interest was not paid as per section 12 of the Act, the petitioner made a representation to the respondents on 28.06.2018 and so far, no order has been passed. Hence, the present writ petition is filed.

3. Today, when the matter is taken for hearing Mr.Raja, learned Additional Government Pleader, appearing for the respondents submitted that now a proposal has been sent to the collector for awarding interest to the petitioner and the respondents will pass suitable orders within a period of three months from the date of receipt of a copy of this order.

4. I have heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents.

5. Considering the fact that already a proposal has been sent to the Collector and the same is pending, the respondents 4 and 5 are directed to pass suitable orders within a period of three months from the date of receipt of a copy of this order, and award interest to the petitioner, if she is entitled for the same.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mrp/rst

To

1.The Secretary to Government
Industrial Department,
Fort St.George,
Chennai-600 009.

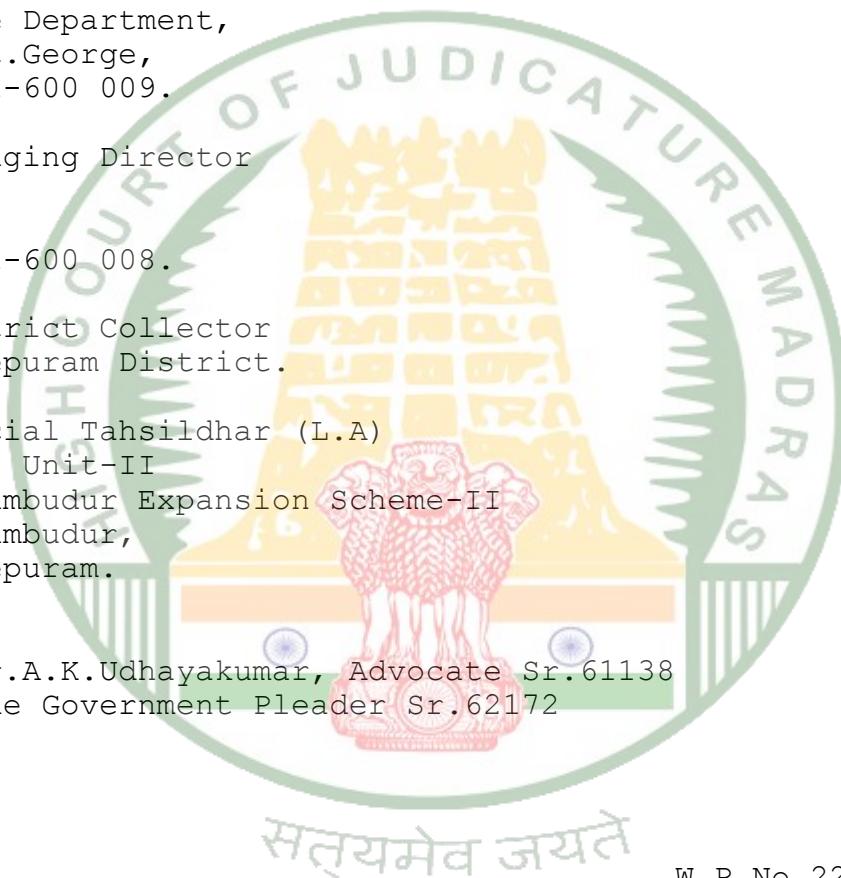
2.The Secretary to Government
Finance Department,
Fort St.George,
Chennai-600 009.

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

4.The District Collector
Kancheepuram District.

5.The Special Tahsildhar (L.A)
SIPCOT, Unit-II
Sriperumbudur Expansion Scheme-II
Sriperumbudur,
Kancheepuram.

+1cc to Mr.A.K.Udhayakumar, Advocate Sr.61138
+1cc to the Government Pleader Sr.62172



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srg 04/10/2018

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