

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Writ Petition No.22084 of 2018

Sengeni

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District.

2. The Special Tahsildar,
Land Acquisition Unit-3,
Ultra Mega Power Project (UMPP),
Cheyyur Taluk,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to release the amount of Rs.12,76,372.50/- to the petitioner herein as towards compensation for acquisition of his land situated at Vedal Village, Cheyyur Taluk, Kancheepuram District in Survey No.2/32 comprised in Patta No.1023 admeasuring to an extent of 79.50 Ares as decided by the second respondent herein vide his proceedings dated 05.09.2013 in Na.Ka.9/2010 with interest in the light of Section 12 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10/1999) from the date of possession of the petitioner's aforesaid property taken by the respondents.

For Petitioner : Mr.G.Magesh Kumar

For Respondents : Mr.D.Raja,
Additional Government Pleader

O R D E R

The Writ petition has been filed seeking a direction to the respondents to pay the compensation amount awarded to the petitioner in the land acquisition proceedings.

2. The case of the petitioner is that the petitioner land which was situated at Vedal Village, Cheyyur Taluk, Kancheepuram District in Survey No.2/32 comprised in Patta

No.1023, admeasuring to an extent of 79.50 Ares has been acquired under the Tamil Nadu Acquisition of Land For Industrial Purposes Act, 1997 (Tamil Nadu Act 10/1999). Notice was issued to the petitioner on 05.09.2013 for award enquiry proceedings and on enquiry he has also furnished all the documents to establish his title, so far no action was taken and no award has been passed.

3. Mr.D.Raja, learned Additional Government Pleader, appearing for the respondents on instructions submitted that, earlier a notice was issued to the petitioner for award enquiry proceedings, but he failed to appear for enquiry, subsequently amount was passed and a sum of Rs.12,76,372.50/- has been awarded to the petitioner. The award amount was also deposited under Section 10(3) of the Act, in the Sub Court, Maduranthakam and has also produced a copy of the award and LTR copy of the memo for depositing the award amount.

4. Considering the fact that already the award has been passed and the amount has been deposited, subsequently the petitioner has also approached the concerned court for seeking payment of the award amount, the relief sought by the writ petitioner cannot be granted at this stage, the writ petition is dismissed. No Costs.

msvm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kancheepuram District,
2. The Special Tahsildar,
Land Acquisition Unit-3,
Ultra Mega Power Project (UMPP),
Cheyyur Taluk,
Kancheepuram District.

+1cc to the Government Pleader, S.R.No.62178

KR/17/10/18

Writ Petition No.22084 of 2018