

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.03.2018

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

W.P.No.10058 of 2012

Ragukumar

.. Petitioner

Vs

1.The Secretary to Government,
Department of Industries,
Fort St.George,
Chennai.

2.The District Collector,
Collectorate Office,
Thiruvallur District.

3.The Revenue Divisional Officer,
Ponneri, Tiruvallur District.

4.The Special Tahsildar(LA),
Aromatoic Complex(CPCL),
Saidapet, Chennai-600 015

5.The Secretary,
CPCL Company,
No.552, Annasalai,
Mount Road,
Chennai

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the order dated 09.09.2010, in Na.Ka.No.122/2007, passed by the 4th respondent herein and quash the same and direct the respondents herein to refix and grant reasonable higher amount as compensation for rehabilitation package scheme to the petitioner herein and to the other similarly affected persons.

For Petitioner

.. Mr.G.Kathiresan,for
M/s.R.Margabandhu

For Respondents

.. Mr.J.M.Pappiah,Spl.G.P.
For R1 to R4
Mr.B.Kishore for
M/s.R.Senthilkumar
for R5

ORDER

The petitioner was a resident of Vaikkadu village in Survey No.37. The respondents 2 to 4 have acquired lands, including as that of the petitioner for the purpose of allotting the same to the fifth respondent-Petroleum company. In response to the said acquisition, certain directions were issued by this Court. Pursuant to the same, the respondents accepted to do rehabilitation package relief to the village people, who were affected by the acquisition.

2. According to the impugned communication, inspite of the rehabilitation package relief offered to the petitioner, he did not choose to accept the same and instead he has chosen to challenge the communication, dated 09.09.2010.

3. The said letter dated 09.09.2010 is only a reminder sent by the 4th respondent, advising the petitioner to come and collect his relief package.

4. Upon notice, Mr.J.M.Pappiah, learned Special Government Pleader has entered appearance for respondents 1 to 4 and Mr.B.Kishore, has entered appearance for the fifth respondent.

5. The learned counsel appearing for the 5th respondent would submit that subsequent to the filing of the writ petition, the petitioner had been settled with the relief of rehabilitation package and he has also accepted the same. The learned counsel appearing for the respondents 1 to 4 would also endorse the said submission made on behalf of the fifth respondent.

6. In view of the above submission that the petitioner has accepted the relief package offered by the respondents, nothing survives in this writ petition.

7. At this stage, the learned counsel appearing for the petitioner would submit that the relief package offered by the respondents is too low and the same is not in commensurate with the lands acquired from the petitioner.

8. It is made clear that it is always open to the petitioner to challenge the terms of the rehabilitation package offered by the respondents, by way of separate proceedings. What is impugned in the present writ petition is only a reminder letter issued by the fourth respondent and therefore, as far as the issue raised in the present writ petition is concerned

nothing survives for consideration. Therefore, the writ petition is dismissed. However, the petitioner is given liberty, in case he is aggrieved by the quantum of relief package offered to him, to approach the appropriate forum and redress his grievance before the said forum. No costs. Connected miscellaneous petition is dismissed.

msk

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Department of Industries,
Fort St.Goerge, Chennai.
- 2.The District Collector,
Collectorate Office,
Thiruvallur District.
- 3.The Revenue Divisional Officer,
Ponneri, Tiruvallur District.
- 4.The Special Tahsildar(LA),
Aromatoic Complex(CPCL),
Saidapet, Chennai-600 015
- 5.The Secretary,
CPCL Company,
No.552, Annasalai,
Mount Road, Chennai.

+ 1 cc to Mr. R. Senthilkumar, Advocate Sr.20255
+ 1 cc to Government Pleader Sr.20488

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MR(CO)
EU(24/04/2018)