

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.02.2018

CORAM

THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.No.2348 of 2018

and

W.M.P.No.2882 of 2018

Zareen Taj Choudhry

... Petitioner

Vs.

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

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Special Tahsildar (L.A.)
SIPCOT,
Unit-II & Unit-I,
Sriperumbudhur Expansion Scheme - II,
Sriperumbudhur.

4.The Managing Director,
SIPCOT,
Egmore, Chennai 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disburse to the petitioner the interest for 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 Land for Industrial Purpose Act - 1997 (Act No.10 of 1999).

For Petitioner : Mrs.Geetha Senthilkumar

For Respondents: Mr.M.Karthikeyan for R1 to R3
Additional Government Pleader

: Mrs.Sundharshana Sunder for R4

O R D E R

1. The case of the petitioner is that the petitioner owned block of land comprising in various Survey Nos.127/6A, 127/6B, 127/6C, 127/7, 127/9C, 136/5A, 136/5B, 136/5C, 136/5F, 136/5G, 136/5H, 136/5I, 136/10A, 136/10D, 128/13B, 132/4, 135/1D, 135/5B and 135/7A situated at Vadakal "A", Palnallur Village, Sriperumbudur, Kancheepuram District and the same was acquired under the provisions of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter referred to as Industrial purposes Act)

2. An award was passed in this case and the compensation amount was also paid to the petitioner. The details of awards are tabulated hereunder:-

Sl. No.	Date	Description of Documents
1.	14.10.2015	Award No.8/2015 (Block No.7, Unit-II)
2.	16.10.2015	Award No.3/2015 (Block No.8, Unit-II)
3.	25.09.2015	Award No.13/2015 (Block No.1, Unit-II)
4.	25.09.2015	Award No.10/2015 (Block No.1, Unit-I)
5.	16.09.2015	Award No.17/2015 (Block No.7, Unit-I)

3. The petitioner contends that the possession of the property was taken in the year 2012 but interest was not granted to her from the date of taking of possession as contemplated under Section 12 of the Act. Hence, the petitioner has come forward with the present petition, seeking a direction to the respondents to pay interest from the date of possession, till the date of payment.

4.Mr.M.Karthikeyan, the learned Additional Government Pleader takes notice for respondents 1 to 3 and Mrs.Sudharshana Sunder, learned counsel takes notice for the 4th respondent.

5. By consent, the Writ Petition is taken for final disposal. The learned Additional Government Pleader submitted that the Land Acquisition Authority namely, the third respondent is collecting the details with respect to the land owners who are entitled for payment of interest and if the claim of the petitioner that she has not been paid interest is found correct, the interest would be disbursed as early as possible preferably

within a period of four months. Supplementing his argument, the counsel for the fourth respondent would submit that the possession of the petitioner's property was not taken entirely in the year 2012, but on different dates.

6. Inasmuch as, it is brought to the notice of this Court that the respondents themselves are taking steps to disburse interest to the land owners whose lands are acquired, there is no need for a specific direction to be issued by this Court. The statements of the counsel for the respondents are recorded..

7. Accordingly, the Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed. Post the matter for reporting compliance after six months.

Sd/-
Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

dna

To

- 1.The Secretary to Government,
The Industrial Department,
Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Special Tahsildar (L.A.)
SIPCOT, Unit-II & Unit-I,
Sriperumbudhur Expansion Scheme - II,
Sriperumbudhur.

+1cc to Mr.Greetha Senthil kumar, Advocate SR.No.13951
+1cc to Mr.Sudhasana Sundar, Advocate SR.No.13033
+1cc to Government Pleader SR.No.15396

W.P.No.2348 of 2018

GN(12/03/2018)