

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.30782 of 2013

G.Kumudha

..Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Housing and Urban Development
Department, Chennai 600009.

2.The District Collector,
Kanchipuram District,
Kanchipuram.

3.The Special Tahsildhar, (Land acquisition)
SIPCOT - Unit VI,
Sriperumbudhur Extension Scheme - II,
Sriperumbudhur,

..Respondents

Prayer:- This Writ Petition has been filed under Article 226 of the Constitution of India, for a writ of Mandamus to direct the 2nd and the 3rd respondent to consider the made on 24.06.2013 and consequently to provide the compensatory amount as fixed by the 2nd respondent for the acquisition done by the 3rd respondent in Survey No.307/13, 307/14, Unit - VI Block VII Kanchipuram District, Sriperumbudhur Taluk, No 124, Vallam B' Village in the name of the petitioner herein.

For Petitioner : Mr.E.Suganthan

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

ORDER

This writ petition has been filed seeking a direction to the respondents 2 and 3 to consider the petitioner's representation dated 24.06.2013.

2.The grievance of the petitioner is that the respondents sought to acquire the petitioner's land in Survey no.307/14, Unit - VI Block VII Kanchipuram District, Sriperumbudhur Taluk, No 124, Vallam Village, without issuing any notice to her.

3.According to the learned counsel for the petitioner, so far, no award is passed in the acquisition proceedings and no compensation also paid to the petitioner.

4.Under such circumstances, the petitioner has made a representation to the respondents on 24.06.2013. Since, no order has been passed on the same, the petitioner is before this Court with this writ petition.

5.Today, the learned Additional Government Pleader appearing for the respondents submitted that already a notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 has been issued to the petitioner and now the award enquiry is also pending under Section 7(2) of the said Act, in respect of the petitioner land and the notice sent to the petitioner could not be served as she is not residing in the property in question.

6.The learned counsel for the petitioner would submit that if that be the case, the petitioner's representation may be considered by the respondents on a date that may be fixed by this Court.

7.In such circumstances, the petitioner is directed to appear before the third respondent on 10.10.2018 and produce relevant documents seeking for compensation and the the third respondent is directed to conduct enquiry for the purpose of award of compensation in respect of the petitioner land and pass orders within a period of four weeks from the date of enquiry.

8.With the above directions, the writ petition is disposed of. No costs.

jbm

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Housing and Urban Development
Department, Chennai 600009.

2. The District Collector,
Kanchipuram District,
Kanchipuram.

3. The Special Tahsildhar, (Land acquisition)
SIPCOT - Unit VI,
Sriperumbudhur Extension Scheme - II,
Sriperumbudhur.

+1cc to M/s.Nathan & Associates, Advocate S.R.No.63099

+1cc to the Government Pleader, S.R.No. 63439

KR/29/10/18

W.P.No.30782 of 2013



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