

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2018

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 34407 of 2014

Kosappur Makkal Podunala Sangam
Rep. by its Secretary Devendran,
Kosappur Village,
Ambattur Taluk,
Tiruvallur District.

.. Petitioner

Vs

1. Government of Tamil Nadu,
Represented by its Principal Secretary,
Industries Department,
Fort St. George,
Chennai-600 006.
2. The District Collector,
Tiruvallur District,
Tiruvallur.
3. The Special Tahsildhar (Land Acquisition)
MRL Aromatics Scheme,
Jeenis Road, Saidapet,
Chennai-600 015.
4. SPIC Petrochemicals Limited (in Liquidation),
Represented by the Official Liquidator,
Rajaji Salai, Chennai-600 001.
5. Chennai Petroleum Corporation Limited,
(formerly Madras Refineries Limited)
No.536, Anna Salai,
Chennai-600 018.
6. Arocham,
Rep by its Administrator,
Guindy, Chennai 600 0032.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, to declare the lands acquired by the respondents 1 to 3 in G.O. Ms. No.1335 to 1343, Industries (MID-I) dated 22.11.1990

published in Tamil Nadu Government Gazette part II section 2 supplement dated 12.12.1990 stands lapsed by virtue of Section 24(2) of RCTE Act 2013.

For Petitioner : Mr.V.Chandrakanthan

For Respondents : Mr.D.Raja
Addl. Government Pleader
for R1 to R3

Mr.M.Dhamodharan for R4

Mr.R.Senthil Kumar for R5

No Appearance for R6

O R D E R

This Writ Petition has been filed seeking for a declaration declaring the lands acquired by the respondents 1 to 3 in G.O.Ms. No.1335 to 1343, Industries (MID-I) Department stands lapsed by virtue of Sec.24(2) of RCTE Act, 2013.

2. The grievance of the petitioner is that the petitioner's lands were acquired for the purpose of constructing Aromatic Complex in the year 1990 at Kosappur Village. Even though the lands are acquired in the year 1990, the compensation was not paid to the petitioner. According to the petitioner, out of 56 claimants, 43 claimants were settled with the award, and the remaining 13 landowners were not so far paid with the compensation. Hence, the present Writ Petition has been filed by the petitioner.

3. Today, the 1st respondent, Secretary, Industries Department, has filed the counter affidavit stating that the Government is really willing to pay the enhanced compensation to the remaining 13 landowners, and now, the Special Tahsildar is directed to send the enhanced compensation sanction proposal to the Government after calculating the compensation to be paid to the landowners. On receipt of proposal, the amount will be paid to the remaining 13 landowners within a period of eight weeks. The relevant portion in the affidavit is reproduced below :-

"It is humbly submitted that regarding settlement of the remaining 13 LAOP cases, the Special Tahsildar (IA), Aromatic Complex, CPCL, Saidapet, Chennai-15 has been requested to send the enhanced compensation sanction proposal to the Government after calculating the compensation amount to be paid to the landowners.

Further, it is submitted that on receipt of the proposal from the Special Tahsildar (LA), Aromatic Complex, CPCL, orders will be issued for sanctioning the enhanced compensation amount to be settled in the remaining 13 LAOP cases. Hence, it requires some more time."

4. Recording the undertaking given by the 1st respondent, the present Writ Petition was disposed of with a direction to the 1st respondent to pay the enhanced compensation to the remaining landowners within a period of eight weeks from the date of receipt of the copy of this order. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rpp

To

- 1.The Principal Secretary,
Government of Tamil Nadu,
Industries Department,
Fort St.George, Chennai-600 006.
- 2.The District Collector,
Tiruvallur District, Tiruvallur.
- 3.The Special Tahsildhar (Land Acquisition)
MRL Aromatics Scheme,
Jeenis Road, Saidapet, Chennai-600 015.
- 4.SPIC Petrochemicals Limited (in Liquidation),
Represented by the Official Liquidator,
Rajaji Salai, Chennai-600 001.
- 5.Chennai Petroleum Corporation Limited,
(formerly Madras Refineries Limited)
No.536, Anna Salai, Chennai-600 018.

- +1 cc to Mr.V.Chandrakanthan, Advocate Sr.No.86029
- +1 cc to Mr.R.Senthil Kumar, Advocate Sr.No.86320
- +1 cc to Mr.M/Dhamodaran, Advocate Sr.No.86471
- +1 cc to The Government Pleader, Sr.No.86258

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CSL/25.01.2019