

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.17841 of 2018

Rani Jain

...Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Special District Revenue Officer (Land Acquisition),
Sriperumpudhur and Oragadam Expansion Scheme-II,
Sriperumpudhur,
Kancheepuram District.
3. The Special Tahsildar (Land Acquisition),
SIPCOT,
Sriperumpudhur Expansion Scheme-II,
Unit-III,
Sriperumpudhur,
Kancheepuram District.
4. The Tahsildar,
Taluk Office,
Sriperumpudhur Taluk,
Kancheepuram District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to pay the compensation for the lands acquired to an extent of 13,100 sq.ft., comprised in Survey No.143/1B (part), Vadakal 'B' Village, Sriperumpudhur Taluk, Kancheepuram District under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act 2013 (30 of 2013) along with interest at 18% per annum to the petitioner within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.Akhil Akbar Ali, G.A.

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice for the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing at the admission stage itself.

2. According to the petitioner, she became the absolute owner of the properties measuring an extent of 21,600 sq.ft. in Survey No.142/1B of 174, Vadakal 'B' Village, in Sriperumpudhur Taluk, Kancheepuram District, vide sale deed, dated 14.08.1996. The petitioner would further state that mutation in the Revenue Records had taken place and the properties were also sub divided and the petitioner was issued patta for an extent of 8,500 sq.ft. When the petitioner taking steps to get patta for the remaining land, the respondents initiated acquisition proceedings for the land measuring 8,500 sq.ft.

3. The petitioner would further state that by an award dated 03.12.2017, the petitioner was awarded compensation of Rs.13,60,000/- for the lands measuring 8,500 sq.ft. Later, the petitioner came to know that the remaining lands measuring 13,100 sq.ft. were also acquired without any acquisition proceedings. Hence, the petitioner made a representation, dated 28.06.2018 to the respondents to grant compensation for the lands measuring 13,100 sq.ft. Since no favourable order was forthcoming, the present writ petition.

4. The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the third respondent to consider the representation of the petitioner.

5. The learned Government Advocate submitted that the representation of the petitioner would be considered in accordance with law.

6. In the light of the limited scope of the prayer sought for in the writ petition and the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the petitioner dated 02.07.2018 and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Special District Revenue Officer (Land Acquisition),
Sriperumpudhur and Oragadam Expansion Scheme-II,
Sriperumpudhur,
Kancheepuram District.
3. The Special Tahsildar (Land Acquisition),
SIPCOT,
Sriperumpudhur Expansion Scheme-II,
Unit-III,
Sriperumpudhur,
Kancheepuram District.
4. The Tahsildar,
Taluk Office,
Sriperumpudhur Taluk,
Kancheepuram District.

+1cc to Mr.R.Bharath Kumar, Advocate sr.no.46781
+1cc to Government Pleader sr.no.47584

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