

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16..08..2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.18559 of 2018

N.Loganathan

... Petitioner

-Versus-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Industries Department,
Fort St. George,
Chennai 600009.
- 2.State Industries Promotion Corporation of
Tamil Nadu Limited (SIPCOT),
Rep. by its Managing Director,
No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600008.
- 3.The District Collector,
Kancheepuram District,
Kancheepuram 631501.
- 4.The Special Tahsildar (Land Acquisition)
Unit-I, SIPCOT,
Oragadam Expansion Scheme-II,
Kancheepuram District,
Sriperumbudur 602 105.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 07.05.2018 and complete the proceedings for determination of the compensation under section 7 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act (Tamil Nadu Act 10 of 1999) with respect to the acquisition of the land of the petitioner measuring 2400 sq.ft. in survey No. 249/7 249/8 6C of Eraiyur Village (Vaipur B Block) Sriperumbudur Taluk Kancheepuram District for the SIPCOT Oragadam Expansion Scheme-II, within a time to be fixed by this Court.

For Petitioner : Mr.R.Chandrasekaran
For Respondents : Mr.N.Manikandan,
Government Advocate

ORDER

The petitioner, who claims to be the owner of the land comprised in S.No.249/7, 249/8 and 6C of Eraiyur Village in Sriperumbudur Taluk, has come with this writ petition seeking for a direction to the respondents to consider his representation for early completion of acquisition proceedings and to determine the compensation for the acquired land under Section 7 of the Tamil Nadu Acquisition of Land for Industrial Purposes Act (Tamil Nadu Act 10 of 1999).

2. According to the petitioner, he is the absolute owner of the land in question, which has been sought to be acquired by the 4th respondent for SIPCOT Oragadam Expansion Scheme-II. According to the petitioner, even though final notification was published as early as in the year 2010, so far no award has been passed. The grievance of the petitioner is that representation sent by him in this regard did not evoke any response. Hence, this writ petition.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that the petitioner is the owner of the land comprised in Plot No.22 whereas in the Notification issued by the 4th respondent under Section 3(1) of the Act, Plot Number of the land has been wrongly given as Plot No.18 and the petitioner has also sent his representation in this regard, but, so far no enquiry has been conducted for passing award.

5. The learned counsel appearing for the respondents, on instructions, submitted that steps have been taken by the 3rd respondent to pass award and minimum four months time is required for him to complete the process. According to the learned counsel, now award enquiry is being conducted by the authorities and the objection of the petitioner will be considered before passing Award.

6. Considering the facts and circumstances of the case and the submission made by the learned Government Advocate, this court without going into the merits of the case, directs the 3rd respondent to consider the representation of the petitioner dated 07.05.2018 and complete the award enquiry and pass appropriate award within a period of six months from today. It

is made clear that during award enquiry, the petitioner is entitled to make his objection regarding change of the plot number in the notification. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-V)

// True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government, Industries Department,
Fort St. George, Chennai 600009.
 - 2.The Managing Director, State Industries Promotion Corporation
of
Tamil Nadu Limited (SIPCOT), No.19-A, Rukmani Lakshmipathy
Road, Egmore, Chennai 600008.
 - 3.The District Collector, Kancheepuram District, Kancheepuram
631501.
 - 4.The Special Tahsildar (Land Acquisition) Unit-I, SIPCOT,
Oragadam Expansion Scheme-II, Kancheepuram District,
Sriperumbudur 602 105.
- +2 cc to Mr.R.Chandrasekaran, Advocate SR.No.56646

SMI/31.08.2018

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