

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.27609 of 2018

M.Jayaraman

... Petitioner

Vs.

1. The Secretary to Government  
Industrial Department,  
Fort St. George,  
Chennai - 600 009.
2. The Principal Secretary,  
Commissioner of Land Administration,  
Chepauk,  
Chennai - 600 005.
3. The Managing Director,  
SIPCOT,  
Egmore,  
Chennai - 600 008.
4. The District Collector,  
Kancheepuram District.
5. The Special Tahsildhar (L.A)  
SIPCOT, Unit III, presently Unit-II,  
Sriperumbudur Expansion Scheme-II,  
Sriperumbudur,  
Kancheepuram.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 4 and 5 to deposit the compensation amount under Section 8(1) of the Tamil Nadu Land Acquisition for Industrial Purpose Act 1997 to the Civil Court.

For Petitioner : Mr. J.C.Durairaj

For Respondents : Mr. C.Thirumaran,  
Spl.G.P.

O R D E R

This writ petition has been filed seeking a direction to the respondents 4 and 5 to refer the matter under Section 8 (1) of the Tamil Nadu Acquisition of land for Industrial Purposes Act.

2. The grievance of the petitioner is that the petitioner's lands were acquired for formation of SIPCOT Sriperumbudur Expansion Scheme. After issuance of notice under Section 3(1) of the Act, the petitioner was compelled to enter into an agreement under Section 7(2) of the Act. Thereafter, award has been passed on 27.10.2018 under Section 7(3) r/w. Rule 11 of the Industrial Purposes Act. In the said circumstances, the petitioner had filed an application before the respondents seeking to refer the award under Section 8(1) of the Act for higher compensation, which was not considered so far. Hence, the present writ petition has been filed.

3. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that already an award in Award No.8/2018 has been passed by the District Collector under Section 7(3) of the Act on 27.10.2018. As The application was filed by the petitioner in time, the fifth respondent will take steps to refer the award under Section 8(1) of the Act.

4. Recording the submission of the learned Government Pleader, the fifth respondent is directed to refer the petitioner's award No.8/2018 under Section 8(1) of the Act within a period of six weeks from the date of receipt of a copy of this order.

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

सत्यमेव जयते Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp

To

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

2. The Principal Secretary,  
Commissioner of Land Administration,  
Chepauk,  
Chennai - 600 005.

3. The Managing Director,  
SIPCOT,  
Egmore,  
Chennai - 600 008.

4. The District Collector,  
Kancheepuram District.

5. The Special Tahsildhar (L.A)  
SIPCOT, Unit III, presently Unit-II,  
Sriperumbudur Expansion Scheme-II,  
Sriperumbudur, Kancheepuram.

+1 cc to Mr.J.C.Durairaj, Advocate SR.No.89564

+1 cc to The Government Pleader, SR.No.89888

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CSL/11.01.2019



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