

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.12.2018

CORAM
THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 28772 of 2018

V.A.Tilakraj

... Petitioner

Versus

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2. The Special Tahsildar (L.A.),
SIPCOT, Unit I,
Thirupperumputhur Extn. Scheme II,
Thirupperumputhur,
Kanchipuram District.

...Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pay compensation along with statutory and penal interest to the petitioner for the land acquired from him, namely, the plots bearing Nos.7, 8, 9, 10 and 11 to a total extent of 12,000 sq.ft. in Adharsh Homes, an approved Layout of house sites at Survey No.19/2B, 174, Vadacal 'A', Palanallur, Sriperumputhur Taluk, Sriperumputhur, Kancheepuram District in the year 2009 for the purpose of Sriperumputhur Extension Scheme II.

For Petitioner : Mr.K.Thilageswaran

For Respondents : Mr.D.Raja,
Addl. Government Pleader
for R1 and R2

ORDER

This Writ Petition has been filed seeking for a direction to the respondents to pay compensation along with interest in respect of the petitioner's lands in Plot Nos.7,8,9, 10 and 11 in Survey Nos.19/2B, 174, Vadacal 'A', Sriperumputhur Taluk, Sriperumputhur, Kanchipuram District.

2. The grievance of the petitioner is that he is the owner of the above mentioned house site, and the land was sought to be acquired by the respondent under the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (hereinafter called as

'Act') for Sipcot at Sriperumbudur. Thereafter, the award enquiry notice was issued to the petitioner and he has appeared and raised his objection. But, so far, no award has been passed, and the compensation amount is also not paid to him. Hence, the present Writ Petition has been filed by the petitioner.

4. Earlier, notice was ordered to the respondents. Today, when the matter was taken up for hearing, Mr.D.Raja, learned Addl. Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that since there is a title dispute in respect of Survey No.19/2B to an extent of 0.14.5 ares, the Land Acquisition Officer is not in a position to pass the award, and after considering the objections of the landowners, the award will be passed.

5. Recording the above submissions, the 2nd respondent is directed to pass the award after considering the objections of the landowners. In the event, any dispute about the apportionment, it is always open to the 2nd respondent to refer the dispute to the concerned civil court under Sec.9 of the 'Act'. With the said direction, the present Writ Petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Kanchipuram District,
Kanchipuram.
2. The Special Tahsildar (L.A.),
SIPCOT, Unit I,
Thirupperumputhur Extn. Scheme II,
Thirupperumputhur,
Kanchipuram District.

+1cc to Mr.K.Thilageswaran, Advocate, S.R.No.87386
+1cc to Mr.Sudharshana Sunder, Advocate, S.R.No.86616
+1cc to the Government Pleader, S.R.No.86749

W.P. 28772 of 2018

rrs 29/01/2019