

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.25177 of 2009

J.Elizabeth

.. Petitioner

-vs-

1.The Collector,
Office of the Collectorate,
Kancheepuram.

2.The Special Tahsildar,
Land Acquisition,
Oragadam Extension Plan
Section I, Sriperumbudur.

3.The Sub Registrar,
Sub Registrar Office,
Sriperumbudur.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified mandamus to quash the impugned order dated 03.11.2009 Na.Ka.8/A1/1/09 Block 8 passed by the second respondent and consequently direct the second respondent to pay the compensation to the petitioner in respect of vacant land in the approved Layout No.L.P./D.T.C.P.473/90 comprised in Survey No.51/4 and 52/1, bearing Plot No.24B and as per Patta No.2938 the survey number is 51/2AB and 52/1D measuring an extent of 805 sq.ft. and an extent of 395 sq.ft. in Survey Number as per Patta No.2937 is 51/2A12 and 52/1C bearing Plot No.23A and in all totalling to an extent of 1200 sq.ft. from and out of 2117 sq.ft. Oragadam Village, Sriperumbudur Taluk.

For Petitioner :: Mr.K.Rajasekaran

For Respondents:: Mr.C.Thirumaran,
Special Government Pleader

ORDER

The writ petition has been filed challenging the impugned order dated 03.11.2009 made in Na.Ka.8/A1/1/09 Block 8 passed by the second respondent and seeking a direction to the second respondent to pay the compensation to the petitioner in respect of vacant land in the approved Layout No.L.P./D.T.C.P.473/90.

2.When the matter was taken up for hearing, learned Special Government Pleader appearing for the respondents fairly submitted that the petitioner has given her consent as per Section 7(2) of the Tamil Nadu Acquisition of land for Industrial Purpose Act 1997 (hereinafter referred to as 'the Act') to receive the compensation for the land in question. Now a notice has been issued by the Special Tahsildar, Land Acquisition, the second respondent inviting the petitioner to come for enquiry on 20.02.2019 at about 11.30 a.m. in the office of the second respondent and also to assist the second respondent for deciding the quantum of compensation for the land acquired by the respondents for industrial purpose.

3.In view of the consent given by the petitioner as per Section 7(2) of the Act and considering the fact that the notice issued inviting the petitioner to come for enquiry on 20.02.2019 at about 11.30 a.m. in the office of the second respondent is lapsed, this Court directs the petitioner to appear for enquiry at the office of the second respondent at 11.30 a.m. on 05.03.2019 along with the required documents. The second respondent is also directed to hold enquiry on the same day and complete the same by fixing the payment of compensation along with rate of interest as per Section 12 of the Act and do the needful within a period of two weeks thereafter.

4.In view of the above direction, the impugned order passed by the second respondent is set aside and the writ petition is disposed of. No costs. सत्यमेव जयते

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Collector,
Office of the Collectorate,
Kancheepuram.

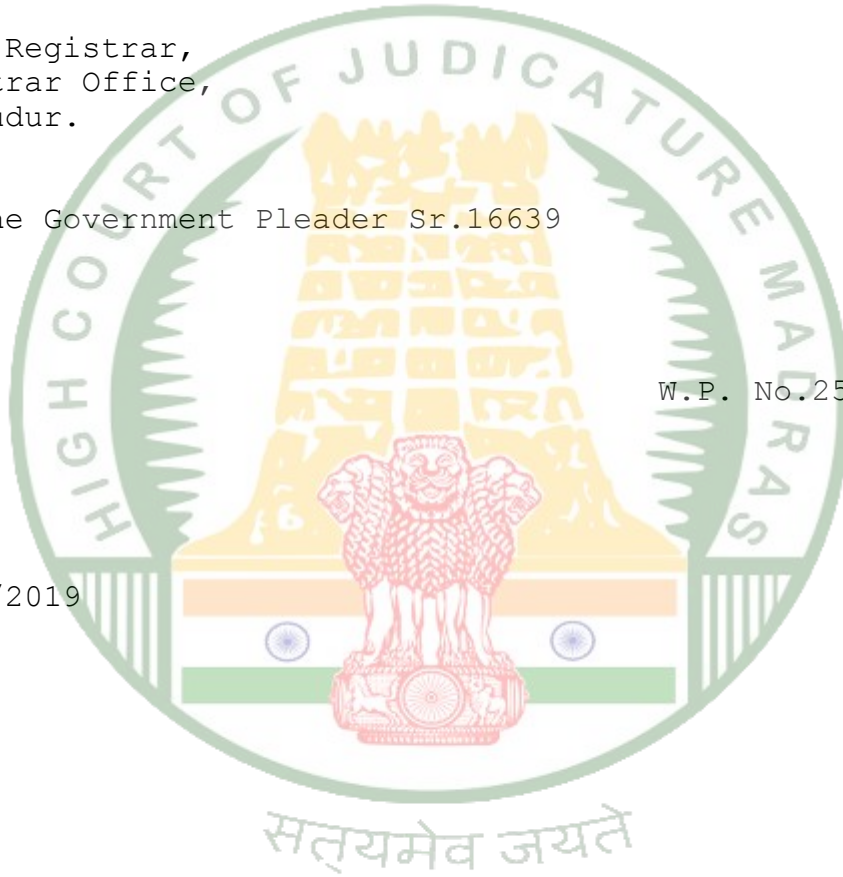
2.The Special Tahsildar,
Land Acquisition,
Oragadam Extension Plan
Section I, Sriperumbudur.

3.The Sub Registrar,
Sub Registrar Office,
Sriperumbudur.

+lcc to the Government Pleader Sr.16639

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pm[col]
srg 03/04/2019



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