

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 13.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE DR.G.JAYACHANDRAN

Writ Petition No.8975 of 2019

and WMP.No.11796 of 2019

Kallapalli Samatha Petitioner

Vs

1.The District Collector,
Kancheepuram District.

2.The District Revenue Officer (L.A)
SIPCOT,
Inrungattukottai Expansion Scheme,
Sriperumpudhur,
Kancheepuram - 602 105.

3.The Special Tahsildhar (L.A),
SIPCOT, Unit -III presently Unit-II,
Inrungattukottai Expansion Scheme,
Sriperumpudhur,
Kancheepuram - 602 105.

Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a direction or writ or order and in particular a "Writ of Mandamus" to direct the third respondent to conduct an enquiry and disburse the compensation under Section 7(3) of Tamilnadu Land Acquisition for Industrial Purpose Act 1997 r/w the Right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 and considering the petitioner's representation dated 26.02.2019.

For petitioner : Mr.J.C.Durairaj

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

: Mrs.Sudarsana Sundar for R3

O R D E R

This writ petition is filed seeking mandamus directing the respondent to conduct an enquiry and disburse the compensation under the new Acquisition Act.

2. Whereas, in the counter, it is stated that the Land Acquisition Proceedings were initiated under the old Act and notification was issued on 12.03.2008 under Section 3A of the Tamil Nadu Acquisition of Land For Industrial Purposes Act, 1997.

3. Whereas, the present petitioner herein has purchased the property subsequent to notification. Therefore, he has no locus to seek for compensation, since, the person in, whose name the revenue documents shown was put notice and also duly compensated

4. In the said circumstances, the writ petition, without impleading his vendor and without the details of payment and other facts, cannot be entertained. Hence, writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

5. Liberty given to the writ petitioner, to file fresh writ petition if necessary after ascertaining the facts from his vendor and impleading him.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sbn/rpl

To

1.The District Collector,Kancheepuram District.

2.The District Revenue Officer (L.A)

SIPCOT,

Inrungattukottai Expansion Scheme,

Sriperumpudhur,Kancheepuram - 602 105.

3.The Special Tahsildhar (L.A),

SIPCOT, Unit -III presently Unit-II,

Inrungattukottai Expansion Scheme,

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+1 cc to Government Pleader Sr.No. 49114

+1cc to Mrs.Sudarsana Sundar, Advocate SR.No. 47872

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ss (CO)A.SK(10/07/2019)