

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2019

CORAM
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.9424 of 2019

Leena Wilson

... Petitioner

vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

2.The Special Tahsildar (LA) Unit - I,
Mannur - Valarapuram Nemili Scheme,
SIPCOT, Sriperumpudur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the compensation for the land acquired in S.No.517/2B plot number 470 measuring a total of 4800 sq. ft. situated at No.50, Mannur Village as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in consideration of petitioner's representation dated 02.02.2019.

For Petitioner : Mr.Vijaymehanath
for M/s.AAV Partners

For Respondents : Mr.D.Raja
Additional Government Pleader

O R D E R

This writ petition has been filed to direct the respondents to pay the compensation for the land acquired in S.No.517/2B plot number 470 measuring a total of 4800 sq. ft. situated at No.50, Mannur Village as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in consideration of petitioner's representation dated 02.02.2019.

2. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

3. Learned counsel for the petitioner submitted that the petitioner was not served with any notice under Sections 7(2), 7(3) and 7(6) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, for the purpose of determination

of the market value of the land. The petitioner was not aware of any of the particulars, even whether the award has been passed or not. Further, the learned counsel for the petitioner submitted that the petitioner is will to receive compensation under provision.

4. Learned Additional Government Pleader, submitted that the petitioner is having right over the property or not, shall be determined by the authority concerned. Hence, the said representation will be considered after giving due opportunity to the petitioner as well as other interested parties.

5. Considering the submissions of the learned counsel on either side and without expressing any opinion and without going into the merits of the case, this Court is inclined to direct the second respondent-Special Tahsildar, Land Acquisition Unit-I, Sriperumpudur to consider the petitioner's representation dated 02.02.2019 and pass orders on merits and in accordance with law, after giving due opportunity to the petitioner as well as other interested parties, within a period of twelve weeks from the date of receipt of a copy of this Order.

6. With the above direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

2.The Special Tahsildar (LA) Unit - I,
Mannur - Valarpuram Nemili Scheme,
SIPCOT, Sriperumpudur.

+1cc to M/s.AAV Partners, Advocate, S.R.No.31573

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PP(CO)

RRS (09/05/2019)