



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.30543 OF 2013

AND

M.P NOS.1 &2 OF 2013 & M.P.NO.1 OF 2015

1. Kumar
2. Murugan

... Petitioners

-Vs-

1. The Government of Tamil Nadu,
Energy Department,
Fort. St. George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District.
3. The Special Tahsildar,
Land Acquisition Unit IV,
Ultra Mega Power Project,
Cheyyur, Kancheepuram District.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the impugned notification in G.O.Ms.No.112, Energy Department dated 13.09.2012 insofar as it relates to the petitioners' land are concerned for an 0.61.0 hectares in survey No.53/2C, and for survey Nos. 53/2A2, 53/2A3, 53/2B with an extent of 0.45.5 hectares, 0.22.5 hectares, 0.44.0 hectares respectively all in Vedal Village, Cheyyur Taluk, Kancheepuram District and all subsequent proceedings pursuant thereto and quash the same.

For Petitioner : Ms.AL.Ganthimathi

For Respondents : Mr.Richardson Wilson
Government Advocate



ORDER

This Writ Petition has been filed to call for the records relating to the impugned notification in G.O.Ms.No.112, Energy Department dated 13.09.2012 insofar as it relates to the petitioners' land are concerned for an 0.61.0 hectares in survey No.53/2C, and for survey Nos. 53/2A2, 53/2A3, 53/2B with an extent of 0.45.5 hectares, 0.22.5 hectares, 0.44.0 hectares respectively all in Vedal Village, Cheyyur Taluk, Kancheepuram District and all subsequent proceedings pursuant thereto and quash the same.

2. The learned counsel appearing for the petitioners submitted that though the petitioners challenged the notification issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Act 10 of 1999), as against the same acquisition proceedings a batch of Writ Petitions has been filed challenging the acquisition proceedings and thereafter the award has been passed under the New Act viz., the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. As such, she requested that in the present case also, the award may be passed under the New Act.

3. Considering the said submission, the third respondent is directed to follow all the procedure laid down under the New Act and after complying all the formalities, pass an award under the New Act viz., the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, within a period of twelve weeks from the date of the receipt of a copy of this Order.

4. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rts



To

1. The Secretary,
Government of Tamil Nadu,
Energy Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District.
3. The Special Tahsildar,
Land Acquisition Unit IV,
Ultra Mega Power Project,
Cheyyur, Kancheepuram District.

+lcc to Ms.AL.Ganthimathi, Advocate, S.R.No.54596
+lcc to the Government Pleader, S.R.No.55064

W.P.NO.30543 OF 2013 AND
M.P.NOS.1 & 2 OF 2013
& M.P.NO.1 OF 2015

SSV(CO)
PBS/17/11/2021