



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.31154 of 2013

M/s Gayathri Trust,
Represented by its Trustee A.Balasubramaniam,
New No.35B, (Old No 16 C),
Damodaran Street,
T Nagar,
Chennai-600 017

...Petitioner

-Vs-

1.State of Tamil Nadu,
Represented by Secretary to Government,
Industries Department,
Fort St George,
Chennai-600004.

2.The Special Tashildar (Land Acquisition),
SIPCOT Oragadam Extension Project,
39-A CSI School Lane,
Nehru Street,
Sriperumbudur,
Kanchipuram District.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to pay compensation to the petitioner as claimed by the petitioner in the personal hearing held by the second respondent pursuant to the second respondent's communication to the petitioner dated 01.06.2007.

For Petitioner : Mr.Varun Ganesh Samiappa
for Mr.S.Sundaresan

For Respondents : Mr.M.R.Gokul Krishnan
Government Advocate.

ORDER

The Writ Petition has been filed for issuance of Writ of Mandamus directing the second respondent to pay compensation to the petitioner as claimed by the petitioner in the personal hearing held by the second respondent pursuant to the second respondent's communication to the petitioner dated 01.06.2007.



2. Heard Mr. Varun Ganesh Samiappa, learned counsel appearing for the petitioner and Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents.

3. The case of the petitioner is that he owned a land to an extent of 60 cents in Survey No. 153/7B and an extent of 96 cents in Survey No.153/8A, situated at Oragadam Village, Sriperumbudur Taluk, Kancheepuram District. These lands were acquired by the respondents for SIPCOT Oragadam Extension Project under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. However, the second respondent failed to deposit any compensation for the reason that some third parties claiming to be the owner of the said property, had claimed compensation.

4. Thereafter, the petitioner made a detailed representation dated 01.03.2012, to the second respondent for claiming compensation. The second respondent filed typed set and stated that the compensation of Rs.32,62,000/- (Rupees Thirty two lakhs and sixty two thousand only) has been deposited by the first respondent in the Sub Court, Kancheepuram, dated 29.01.2020 for the land acquired from the petitioner. Therefore, the petitioner is permitted to claim the award amount before the Court concerned i.e., the Sub Court, Kancheepuram.

5. The learned counsel for the petitioner stated that the petitioner is represented by its Trustee one A.Balasubramaniam, who died while pending the writ petition. Therefore, a new Trustee, who represents the petitioner Trust is permitted to withdraw the compensation amount, which is deposited before the Sub Court, Kancheepuram by filing an appropriate application.

6. With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

Lpp/mn

To

1.The Secretary to Government,
State of Tamilnadu,
Industries Department,
Fort St George, Chennai-600004.



2.The Special Tashildar (Land Acquisition),
SIPCOT Oragadam Extension Project,
39-A CSI School Lane,
Nehru Street,
Sriperumbudur,
Kanchipuram District.

3.The Sub Judge,
Subordinate Court,
Kancheepuram.

+1cc to the Government Pleader SR.No.45905

W.P.No.31154 of 2013
and W.M.P No.7997 of 2020

NR(CO)
RVM(29/09/2021)