



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.07.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. Nos. 15562, 15565, 15569, 15571, 15572 & 15574 of 2021
and

W.M.P. Nos.16480, 16488, & 16491 of 2021

1. T.Thomson,
S/o. Thomas

2. Divya Thomson,
W/o. Thomson ... Petitioners in WP No.15562 of 2021

1 R.Prabhakaran
S/o. Ramakrishnan No. 1384 Golden Colony
Mogappair Chennai 50

2 K. Mahalakshmi
W/o. Prabhakaran No. 1384 Golden Colony
Mogappair Chennai 50

... Petitioners in WP No.15565 of 2021

1 P.Madhusudhanan
S/o Parthasarathy No. F3 Block A Chandhra
Avenue Amudham Nagar New Perungalathur
Chennai 63

2 A.Gunasekaran
S/o Arumugam No. F3 Block A Chandhra
Avenue Amudham Nagar New Perungalathur
Chennai 63

... Petitioners in WP No.15569 of 2021

1 S.Hamsavalli
W/o. Sethuraman No. 13/42 Jeswanth Nagar
Reddipalayam Road 3rd Cross Street
Mogappair West Chennai 37

... Petitioners in WP No.15571 of 2021

1 P.Vijayalakshmi
W/o. Prasad Raju Gokulam Plot No. 63
Navalar High Road Devaraj Nagar Saligramam
Chennai 93

... Petitioners in WP No.15572 of 2021



1 P.B.Vijayakumar

S/o Balakrishnan D 402 TCP Lake Front Model
School Road Sholinganallur chennai 600 119

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... Petitioners in WP No.15574 of 2021

-Vs-

1. The District Collector,
Kancheepuram,
Industries SIPCOT-LA Department,
Kancheepuram.

2. The Special Tahsildar (LA),
Mannur Valarpuram Nemili Scheme,
SIPCOT Project Office, INDL Park,
(First Floor), Irungattukottai,
Pennalur Post, Sriperumbudur Tk.,
Kancheepuram-602 105.

... Respondents

Prayer WP No.15562 of 2021 : Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No. 542B/6B and 650/2A in Mannur village measuring an extent of 3260 Sq ft earmarked as Plot No. 161 in the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kancheepuram District within a time frame fixed by this Hon'ble Court.

Prayer WP No.15565 of 2021 : Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No. 512/4D 512/4A in Mannur village and S. No. 7/5 in Nemili Village measuring an extent of 2400 Sq ft earmarked as Plot No. 415 in the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kancheepuram District within a time frame fixed by this Hon'ble Court.

Prayer WP No.15569 of 2021 : Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No.512/2pt 512 / 4E in Mannur village measuring an extent of 2160 Sq ft earmarked as Plot No. 295 in



the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kanhceepuram District within a time frame fixed by this Hon'ble Court.

Prayer WP No.15571 of 2021 :Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No.513/5A measuring an extent of 2400 Sq ft earmarked as Plot No. 542 in the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kanhceepuram District within a time frame fixed by this Hon'ble Court.

Prayer WP No.15572 of 2021 :Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No.517/2A1 517/2A2 measuring an extent of 2400 Sq ft earmarked as Plot No. 445 in the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kanhceepuram District within a time frame fixed by this Hon'ble Court.

Prayer WP No.15574 of 2021 :Directing the 2nd Respondent herein to refer the matter to the competent court as per Sec. 8 of The Tamil nadu Acquisition of Land for Industrial Purposes Act 1997 for enhancement of compensation for land acquired from the petitioners in S. No.516/2A and 516/2B measuring an extent of 14 400 Sq ft earmarked as Plot No. 476 477 and 478 in the approved Layout Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 Mannur village Sriperumbudur taluk Kanhceepuram District within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.R.Kuyilan
in all W.P.s

For Respondents : Mr.Yogesh Kannadasan,
in all W.P.s Government Advocate for R1 & R2

C O M M O N O R D E R

(The case has been heard through video conference)

These writ petitions have been filed seeking a direction directing the 2nd respondent to consider the representation of the petitioners.



2. According to the petitioners, their lands were acquired under the Tamil Nadu Land Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter called as 'Act'). Thereafter, an award enquiry was conducted and the petitioners have also appeared in the award enquiry. Subsequently, the compensation amount was deposited in the petitioners' bank account, without serving the copy of the award, then only, they came to know about the passing of award and the petitioners have withdrawn the amount under protest. Thereafter, within 60 days from the date of receipt of the amount, the petitioners made an application before the 2nd respondent, under Section 8 of the Act, seeking for enhancement of compensation and so far, their applications have not been considered. Hence, the present writ petition has been filed by the petitioners.

3. The learned counsel for the petitioners would submit that, even though all the petitioners have appeared in the award enquiry, after passing of award, the copy of the award was not served on the petitioners and they came to know about the same, only after the amount was deposited in their Bank Account. Immediately, they have filed an application under Section 8 of the Act seeking for enhancement.

4. Heard the learned counsel for the petitioners and the learned Government Advocate appearing for the respondents.

5. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petitions, and the fact that the petitioners' representation seeking for enhancement of compensation, is pending with the 2nd respondent, without going into the merits of the case, the 2nd respondent is directed to consider the petitioners' representation, and pass suitable orders, on merits and in accordance with law, after hearing the petitioners, within a period of eight weeks from the date of receipt of a copy of this order. The 2nd respondent is also directed to furnish the copy of the award to the petitioners.

6. With the above directions, all the Writ Petitions are disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpp



To

1. The District Collector,
Kancheepuram,
Industries SIPCOT-LA Department,
Kancheepuram.

2. The Special Tahsildar (LA),
Mannur Valarapuram Nemili Scheme,
SIPCOT Project Office, INDL Park,
(First Floor), Irungattukottai,
Pennalur Post, Sriperumbudur Tk.,
Kancheepuram-602 105.

+6ccs to M/s.M.R.Kuyilan, Advocate SR.No. 36723 to 36728
+1 cc to Government Pleader Sr.No. 36354

W.P.Nos. 15562, 15565, 15569,
15571, 15572 & 15574 of 2021

AJS (CO)
B.VC(23.08.2021)