



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17439 of 2021

and

W.M.P.Nos.18519 and 18520 of 2021

K.Rajendiran

...Petitioner

-Vs-

1. The District Collector,  
Sriperumbudur Taluk,  
Kancheepuram District.
2. The Chairman and Managing Director,  
SIPCOT, 19A, Rukmani Lakshmipathi Road,  
Egmore, Chennai 600 008.
3. The Special Tahsildar (L.A),  
SIPCOT,Irrungattukottai Existing Scheme,  
No.A2, Project Office,  
SIPCOT Park, Tambaram Road,  
Near Pillaipakkam Village,  
Sriperumbudur,  
Kancheepuram District - 602 105.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to deposit the enhanced compensation of the petitioner's acquired land comprised in 1) S.No.723/1A measuring 1.03.5 hectare, 2) S.No.723/1B measuring 1.03.0 hectare 3) S.No.723/1C measuring 1.31.5 hectare and 4) S.No.723/7 measuring 0.38.5 hectare totally 3.76.5 hectare or 9 Acre 30 Cents in Katrambakkam Village, Sriperumbudur Taluk, Kancheepuram District culminated as decree dated 14.06.2016 in LAOP.No.1298/2008 disposed on the file of The Principal Sub-Judge, Kancheepuram by stipulating a time period.

For Petitioner : Mr.A.S.Vijay Anand

For R1 and R3 : Mr.Yogesh Kannadasan  
Special Government Pleader.

For R2 : Mr.M.Karthikeyan



## ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to deposit the enhanced compensation of the petitioner's acquired land comprised in 1) S.No.723/1A measuring 1.03.5 hectare, 2) S.No.723/1B measuring 1.03.0 hectare 3) S.No.723/1C measuring 1.31.5 hectare and 4) S.No.723/7 measuring 0.38.5 hectare totally 3.76.5 hectare or 9 Acre 30 Cents in Katrambakkam Village, Sriperumbudur Taluk, Kancheepuram District culminated as decree dated 14.06.2016 in LAOP.No.1298/2008 disposed on the file of The Principal Sub-Judge, Kancheepuram by stipulating a time period.

2. Heard Mr.A.S.Vijay Anand, learned counsel appearing for the petitioner, Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents 1 and 3 and Mr.M.Karthikeyan, learned counsel appearing for the second respondent.

3. The petitioner along with his wife purchased the land comprised in Survey No.723/1A ad-measuring 1.03.5 hectare, Survey No.723/1B ad-measuring 1.03.0 hectare, Survey No.723/1C ad-measuring 1.31.5 hectare and Survey No.723/7 ad-measuring 0.38.5 hectare totally 3.76.5 hectare (9 acres and 30 cents) situated at Katrambakkam Village, Sriperumbudur Taluk, Kancheepuram District. The said properties were acquired by the respondents for the purpose of formation of Industrial layout for SIPCOT. By the Award, the preliminary compensation of Rs.150/- per cent was determined in Award No.2 of 1999, dated 23.03.1999. On the objections, it was referred under Section 18 of the Land Acquisition Act, 1894 in LAOP No.1298 of 2008 on the file of the Principal Sub Court, Kanchipuram. By the Judgment and Decree, dated 14.06.2016, the award of compensation enhanced from Rs.150/- per cent to Rs.6534/- per cent based on contemporaneous sale deeds of the very same village.

4. On the strength of the Judgment and Decree, the petitioner filed an execution petition in E.P.No.01 of 2017 on the file of the 6<sup>th</sup> City Civil Court, Chennai by transmission of decree from Sub-Court, Kancheepuram and it is pending. However, the respondents dragged the execution proceedings without depositing the compensation even till today. The petitioner is aged about 83 years old and as such, he was made to run pillar to post for receiving the compensation for the lands which were acquired from the petitioner.

5. The learned counsel for the second and third respondents submitted that as against the Judgment and Decree passed by the reference Court in LAOP No.1298 of 2008 on the



file of the Sub Court, Kanchipuram, filed an appeal suit before this Court and it is pending in A.S.No.40900 of 2018. Even after a period of three years from the date of filing the appeal suit, the respondents did not take any steps to bring the appeal suit for hearing, it was filed along with condone delay petition. In fact, the condone delay petition has not been numbered even till today.

6. Considering the above, the third respondent is directed to deposit the enhanced compensation as per the Judgment and Decree, dated 14.06.2016 passed in LAOP No.1298 of 2008 within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition stands allowed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

Sd/-  
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mn

To

1. The District Collector,  
Sriperumbudur Taluk,  
Kancheepuram District.
2. The Chairman and Managing Director,  
SIPCOT, 19A, Rukmani Lakshmipathi Road,  
Egmore, Chennai 600 008.
3. The Special Tahsildar (L.A),  
SIPCOT, Irrungattukottai Existing Scheme,  
No.A2, Project Office,  
SIPCOT Park, Tambaram Road,  
Near Pillaipakkam Village,  
Sriperumbudur, Kancheepuram District - 602 105.

+1cc to the Government Pleader, S.R.No.62206

W.P.No.17439 of 2021  
and  
W.M.P.Nos.18519 and 18520 of 2021

KSM[co]  
NSK 10/12/2021