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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.22890 and 22985 of 2021

W.P.No.22890 of 2021:-

R.Jaikumar ... Petitioner

W.P.No.22985 of 2021:-

Hemamalini Ganesh ... Petitioner

-Vs-

1. The Secretary to Government,
Industries Department,
Fort St George,
Chennai - 9.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The District Collector,
Tiruvallur District,
Tiruvallur.
4. The Managing Director,
SIPCOT,
19-A, Rukmani Lakshmipathy Street,
Egmore,
Chennai - 600 008.

... Respondents (In Both W.P.s)

Prayer in W.P.No.22890 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry and enable to get compensation award in respect of the property to an extent of 4,800 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/4A and 57/2 part situated in Mathur Village, Sriperumbatur Taluk.

Prayer in W.P.No.22985 of 2021:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry of the representation dated 12.08.2021



and enable to get compensation award in respect of the property to an extent of 2,400 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/3 and 54/4A part situated in Mathur Village, Sriperumbatur Taluk.

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For Both W.P.s

For Petitioners : Mr.R.Karthik
F
or R1 to R3 : Mr.M.Muthusamy
Government Advocate.

For R4 : Mrs.Sudarshana Sunder

COMMON ORDER

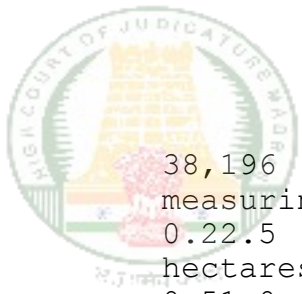
The Writ Petition in W.P.No.22890 of 2021, has been filed for the issuance of Writ of Mandamus, directing the first respondent to conduct an enquiry and enable to get compensation award in respect of the property to an extent of 4,800 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/4A and 57/2 part situated in Mathur Village, Sriperumbatur Taluk.

2. The Writ Petition in W.P.No.22985 of 2021, has been filed for the issuance of Writ of Mandamus, directing the first respondent to conduct an enquiry of the representation dated 12.08.2021 and enable to get compensation award in respect of the property to an extent of 2,400 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/3 and 54/4A part situated in Mathur Village, Sriperumbatur Taluk.

3. Heard Mr.R.Karthik, learned counsel appearing for the petitioners, Mr.M.Muthusamy, learned Government Advocate appearing for the respondents 1 to 3 and Mrs.Sudarshana Sunder, learned counsel appearing for the fourth respondent.

4. The petitioners purchased the properties to an extent of 4,800 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/4A and 57/2 part situated in Mathur Village, Sriperumbatur Taluk and to an extent of 2,400 sq.ft., in VGP Jayanthi Town, comprised in Survey No.54/3 and 54/4A part situated in Mathur Village, Sriperumbatur Taluk.

5. Prior to purchase of the lands, the land acquisition proceedings were subjected to the larger extent of properties in Survey No.54/1, ad-measuring 0.20.00(pt) hectares, in Survey No.54/2, ad-measuring 0.33.5 hectares, in Survey No.54/3, ad-measuring 0.10.5 (pt) hectares, in Survey No.54/4A, ad-measuring 0.17.0 hectares, in Survey No.55/1, ad-measuring 0.05.5 hectares, in Survey No.55/2, ad-measuring 0.05.5 hectares, in Survey No.55/3, ad-measuring 0.28.0 hectares, in Survey No.56/1, ad-measuring 0.12.0 hectares



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38,196 sq.ft and 8,13,022 sq.ft, in Survey No.56/2A, ad-measuring 0.21.0 hectares, in Survey No.56/2B1, ad-measuring 0.22.5 hectares, in Survey No.56/2B2, ad-measuring 0.01.5 hectares, in Survey No.56/3, ad-measuring 0.51.0 hectares and 0.51.0 hectares, in Survey No.56/4A, ad-measuring 0.38.5 hectares, in Survey No.56/5, ad-measuring 0.07.0 hectares, in Survey No.57/1A1, ad-measuring 0.59.0 hectare, in Survey No.57/2A, ad-measuring 0.82.0 hectares, in Survey No.58, ad-measuring 0.37.0 hectares, in Survey No.75/1, ad-measuring 0.27.5 hectares, in Survey No.75/2, ad-measuring 0.32.5 hectares, in Survey No.75/3, ad-measuring 0.13.0 hectares, in Survey No.75/4, ad-measuring 0.53.0 hectares, in Survey No.75/5A, ad-measuring 0.30.5 hectares, in Survey No.76, ad-measuring 0.26.5 and part hectare, in Survey No.77/3, ad-measuring 0.14.5 hectares, in Survey No.77/4, ad-measuring 0.15.5 hectares, in Survey No.77/5, ad-measuring 0.19.5 hectares and in Survey No.77/6, ad-measuring 0.36.5 hectares in Mathur Vilalge, Sriperumpudur Taluk, Kancheepuram District as notified in No.3/2009/F, dated 27.10.2009 of the second respondent herein.

6. The said acquisition proceedings was challenged by the defaulter i.e.VGP Jayanthi Town, before this Court in W.P.No.2055 of 2010 and W.P.No.2056 of 2010 and this Court by an order dated 10.07.2012 disposed of the writ petition with direction, directing the Government to consider the objection if any submitted by the land owners, hear them and proceed in accordance with law. However, the petitioners were not paid any compensation for the land acquired by the fourth respondent herein. Therefore, the petitioners submitted their representation on 12.08.2021. After receipt of the same, the respondents did not take any steps to disburse any compensation to the petitioners for the subject properties which were acquired by the respondents.

7. Considering the above, the fourth respondent is directed to consider the representation of the petitioners and after giving them an opportunity of hearing, pass orders on merits and in accordance with law with regards to payment of compensation, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above directions, these writ petitions are disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar



To

1. The Secretary to Government,
Industries Department,
Fort St George,
Chennai - 9.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The District Collector,
Tiruvallur District,
Tiruvallur.
4. The Managing Director,
SIPCOT,
19-A, Rukmani Lakshmipathy Street,
Egmore,
Chennai - 600 008.

+2ccs to Mr.S.Jayakumar, Advocate SR. Nos.68632, 68633
+1cc to Mrs.Sudarshana Sundar, Advocate SR. No.68762
+1cc to Government Pleader SR. Nos.69577, 69578

W.P.Nos.22890 and 22985 of 2021

EV (CO)
PR (10/01/2022)