



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.3257 of 2022
and
W.M.P. No.3391 of 2022

B.Shivakumaran

.... Petitioner

Versus

1. The District Collector,
Government of Tamilnadu,
Kancheepuram District,
Kancheepuram - 631 501.

2. The Special District Revenue Officer (LA),
SIPCOT Oragadam Expansion II Scheme,
Government of Tamil Nadu,
Sriperumbudur - 602 105.

3. The Special Tahsildar (LA),
SIPCOT - Orgadam Expansion II Scheme,
Government of Tamil Nadu,
Sriperumbudur - 602 105.

4.State Industries Promotion Corporation of
Tamil Nadu Ltd.,
represented by its Chairman and Managing Director,
19/A, Rukmini Lakshmipathi Road,
Chennai - 600 008.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus or direction in the nature of writ, directing the respondents to give Rs.804/- per square feet as compensation being the four times of the guideline value Rs.201/- or any other value as decided by this Court along with interest, for the petitioner's land situated in Plot No.145 in Vikrama Raja Singapuram, Eraiyur Village, Sriperumpudur Taluk, comprising in Survey No. 231/3B measuring an extent of 2869 square feet, within the time limit as prescribed by this Court for the land acquisition notice No.Na.Ka.02/2010/O.Ra.Vi.Thi.2/Vaippur / Block-6 dated 16.04.2021 of the 3rd respondent.



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For Petitioner
For Respondents

: Mr.V. Arunagiri
: Mr.G. Krishnaraja
Addl. Govt. Pleader for R1 to R3
Mr.Ramesh Venkatchalapathy
for SIPCOT for R4

ORDER

This writ petition has been filed for a direction to the respondents to give Rs.804/- per square feet as compensation being the four times of the guideline value Rs.201/- or any other value as decided by this Court along with interest, for the petitioner's land situated in Plot No.145 in Vikrama Raja Singapuram, Eraiyur Village, Sriperumpudur Taluk, comprising in Survey No. 231/3B measuring an extent of 2869 square feet, within the time limit as prescribed by this Court for the land acquisition notice No.Na.Ka.02/2010/O.Ra.Vi.Thi.2/Vaippur / Block-6 dated 16.04.2021 of the 3rd respondent.

2. It is the case of the petitioner that originally his mother is the owner of the land in Survey No.231/3B measuring to an extent of 2869 square feet in Eraiyur Village, Sriperumpudur Taluk, registered as Doc. No.3638/2001, dated 20.07.2001 on the file of SRO, Sriperumpudur and subsequently the said lands were acquired by the respondents to expand the industrial units. That being so, notice dated 06.04.2021 has been received by him, for acquisition of the subject lands and since his mother died on 01.05.2021, after his mother's demise, he and his brother are the Legal Heirs. It is averred that though the subject lands were acquired, the amount of compensation is yet to be paid, but the amount so quantified is also a very paltry sum. Hence, this writ petition.

3. The learned counsel appearing for the petitioner submitted that the compensation amount fixed by the respondents was Rs.150/- per square feet, which is not in accordance with Section 28 and Solatium Under Section 30(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Without furnishing calculation / other details, the respondents have arrived at the said compensation amount. Though the amount fixed by the respondents for compensation is too meagre, the respondents be directed to provide the calculation on the basis of which the amount has been arrived at and after affording an opportunity of hearing to the petitioner, decide the compensation amount to be paid , for the acquired lands within a time frame to be fixed by this Court.



4. The learned Additional Government Pleader appearing for the respondents 1 to 3 submits that the petitioner may be directed to approach the respondents along with the earlier letter and title documents to support his claim as owner of the property and the respondents may be directed to consider the same on merits and in accordance with law within the time frame fixed by this Court.

5. In view of the limited relief sought for, this Court without going into the merits of the issue, directs the petitioner to approach the second respondent along with this order copy as well as letter which was refused by the respondents, along with copies of title documents in favour of the petitioner within a period of two weeks from the date of receipt of a copy of this order and on receipt of the such documents, the second respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of six weeks thereafter, if the compensation is not already been paid.

6. With the aforesaid directions, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The District Collector,
Government of Tamil Nadu,
Kancheepuram District,
Kancheepuram - 631 501.

2. The Special District Revenue Officer (LA),
SIPCOT Oragadam Expansion II Scheme,
Government of Tamil Nadu,
Sriperumbudur - 602 105.

3. The Special Tahsildar (LA),
SIPCOT - Orgadam Expansion II Scheme,
Government of Tamil Nadu,
Sriperumbudur - 602 105.



4.The Chairman and Managing Director,
State Industries Promotion Corporation of
Tamil Nadu Ltd.,
19/A, Rukmini Lakshmipathi Road,
Chennai - 600 008.

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+1cc to the Government Pleader SR.No.13371

W.P. No.3257 of 2022

SJ(CO)
GN(18/03/2022)