



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.9311, 9316, 9323, 9327, 9330,
9332, 9334, 9337, 9339 and 9341 of 2022

J.Baby ... Petitioner in W.P.No.9311 of 2022

1. Mangalasseril Phillipose Saju

2. Mini Pavoodath Sunny

... Petitioners in WP.No.9316/2022

1 N.Mahesh Kumar,
rep by its Power Agent N.Suresh Kumar

... Petitioner in WP.No.9323/2022

1 Syed Zaheeruddin
rep by its Power Agent Syed Dastagir

... Petitioner in WP.No.9327/2022

1. Ramya Sreekanth
rep. By its Power Agent S.Athirathnam

... Petitioner in WP.No.9330/2022

1. S.Yuvaraja

2. y.Revathi

... Petitioners in WP.No.9332/2022

1 Kaushik Selvaraj
rep. by is Power Agent S/o.R.selvaraj

... Petitioner in WP.No.9334/2022

1. P.Muthukaruppan
Represented by its Power Agent
A. Periyakaruppan

... Petitioner in WP.No.9337/2022

1. R.Arunprasad
rep. by is Power Agent C.Ravindranath

... Petitioner in WP.No.9339/2022

1. P.Annamalai
rep. by is Power Agent A. Periyakaruppan

... Petitioner in WP.No.9341/2022

Vs.



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

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2. The Special Tahsildar (LA)
Mannur Valarpuram Nemili Scheme,
SIPCOT Project Office, INDL Park (First Floor),
Irungattukottai, Pennalur Post,
Sriperumbudur Taluk,
Kancheepuram 602 117.

... Respondents in all wp's

Prayer : Writ Petition No.9311 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second 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 petitioner in S.No.8/1E & 8/1D measuring a total extent of 2400 sq.ft., earmarked as Plot No.71 in the approved Layout of "Sri Lakshmi Town Layout", situated at No.51, Nemili Village, in Sriperumbudur Taluk, Kancheepuram District, within a time frame fixed by this Court.

Prayer : Writ Petition No.9316 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No. 513/3B 514/1 in Mannur Village and further S.Nos. 1/1 and 1/2 in Nemili Village measuring an extent of 7200 Sq. ft earmarked as Plot No.483 in the approved Layout of Poonamallee Mannur Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No.50 Mannur Village Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Prayer : Writ Petition No.9323 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.Nos.517/2B and 516/1 measuring to a total extent of 4800 Sq.Ft earmarked as Plot Nos.384 and 385 in the approved Layout of Poonamallee Mannur Vijayam Sowbhagya Co-operative Mahaa Nagar situated at No. 50 of Mannur Village in



Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Prayer : Writ Petition No.9327 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 in S.No.517/1B 517/1C 517/2A1 and 517/2A2 (New S.No.517/1A7) measuring an extent of 3660 Sq.ft earmarked as Plot No. 447 in the approved Layout of Poonamallee Mannur Village in Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Prayer : Writ Petition No.9330 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 in S.No.519/6B 519/7B and 519/7C measuring an extent of 2400 Sq.ft earmarked as Plot No. 233 in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village in Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Prayer : Writ Petition No.9332 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No.542B/1B 542B/1C measuring an extent of 3870 Sq.ft. earmarked as Plot No. 463 in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village in Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Writ Petition No.9334 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No.514/1 at Mannur Village measuring an extent of 2400 Sq.ft earmarked as Plot No. 74 in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village Sriperumbudur Taluk Kancheepuram District



within a time frame fixed by this Honourable Court.

Writ Petition No.9337 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No.516/2A measuring an extent of 3200 Sq.ft. earmarked as Plot No. 475-B in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Writ Petition No.9339 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No.517/1A 517/1B 517/1D measuring an extent of 4800 Sq.ft. earmarked as Plot No. 463 in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Writ Petition No.9341 of 2022 filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus 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 petitioner in S.No.516/2A measuring an extent of 3200 Sq.ft. earmarked as Plot No. 475-A in the approved Layout of Poonamallee Mannure Vijayam Sowbhagya Cooperative Mahaa Nagar situated at No.50 of Mannur Village Sriperumbudur Taluk Kancheepuram District within a time frame fixed by this Honourable Court.

Appearance in all W.Ps

For Petitioners : M/S.M.R.Kuyilan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader



COMMON ORDER

Since the issue involved and the relief sought for in all these Writ Petitions, are identical in nature, the same were heard together and disposed of by this common order.

2. The case of the petitioners is that they have purchased properties under registered sale deeds, dated 02.09.1996, 27.04.2006, 08.09.2006, 11.12.2006, 14.06.2006, 01.12.2011, 12.05.2006, 26.02.2007, 09.10.2006, and 26.02.2007 respectively. The subject properties are situated in the approved Layout of "Sri Lakshmi Town Layout", at No.51, Nemili Village, Sriperumbudur Taluk, Kancheepuram District in W.P.No.9311 of 2022 and "Poonamallee Mannure Vijayam Sowbhagya Co-operative Mahaa Nagar", at No.50, Mannur Village, Sriperumbudur Taluk, Kancheepuram District in W.P.Nos.9316, 9323, 9327, 9330, 9332, 9334, 9337, 9339 and 9341 of 2022. While so, the first respondent issued Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (herein after referred as, "the Act") for the acquisition of the subject properties and the same was also published in the Tamil Nadu Government Gazette Extraordinary No.62, dated 20.03.2015 and No.94, dated 21.04.2015. Thereafter, on 13.03.2017, the second respondent issued notice to the land owners in Block Nos.8, 9 and 10 to give their opinion/objections regarding the acquisition proceedings. Subsequent to the notice, the petitioners have submitted their objections. The decision of the first respondent/District Collector was not known to the petitioners. However, the respondents have started to deposit the compensation amount to the petitioners' Bank account from the month of April 2021 onwards. Therefore, the petitioners made representations dated 29.12.2021, 03.09.2021, 08.11.2021, 11.12.2021, 18.12.2021, 24.11.2021, 27.07.2021, 18.10.2021, 17.06.2021, and 18.10.2021 respectively before the respondents immediately within 60 days from the date of deposit of the compensation amount, seeking to refer the matter to Competent Court as per Section 8 of the Act, for enhancement of compensation for lands acquired from the petitioners. However, till date, the Acquisition Officers have not referred the matter to the Competent Court for determination of the award amount. Hence, the petitioners have filed the Writ Petitions.

3. The learned counsel for the petitioners submitted that, though the decision of the first respondent/District Collector was not communicated to the petitioners, however, the petitioners came to know about the decision of the authorities, only after deposit of the entire compensation amount to the petitioners' Bank account. Thereafter, the petitioners made the said representations before the respondents, to refer the matter to the Competent Court. It would suffice, if this Court issues



direction to the second respondent to refer the matter under Section 8 of the Act, and pass orders on the same within a particular time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents submitted that the petitioners' representation will be considered in the manner known to law.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioners' representations dated 29.12.2021, 03.09.2021, 08.11.2021, 11.12.2021, 18.12.2021, 24.11.2021, 27.07.2021, 18.10.2021, 17.06.2021, and 18.10.2021 respectively in terms of Section 8 of the Act and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

jd/rap
To

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 Taluk, Kancheepuram 602 117.

+10ccs to M/S.M.R.Kuyilan, Advocate, S.R.No.26526,26517,
26518,26519,26520,26521,26522,26523,26524,26525

+1cc to the Government Pleader, S.R.No.27307/27308

W.P.Nos.9311, 9316, 9323, 9327, 9330,
9332, 9334, 9337, 9339, 9341 of 2022

AJB(CO)
CT 31/05/2022