



W.P.No.29991 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.29991 of 2015
and M.P.No.1 of 2015

R.Krishnamurthy

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by Secretary,
Industries Department,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The District Collector,
Cuddalore District,
Cuddalore.

3.The Special Tahsildar – LA No.15,
Neyveli – 2,
Chidambaram Taluk,
Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent in No.L2/1622/2010 dated 15.07.2015 and quash the same and consequently, direct the respondents to determine the compensation



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payable to the petitioners in respect of the petitioner's lands situated at Kattazhai Village, Chidambaram Taluk, Cuddalore District lands comprised in S.No.37/14A, 0.090.0 extent, Patta No.109 under the Central Act No.30 of 2013.

For Petitioner : M/s.Narmadha Sampath

For Respondents : Mr.B.Vijay,
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking for issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent in No.L2/1622/2010 dated 15.07.2015 and quash the same and consequently, direct the respondents to determine the compensation payable to the petitioners in respect of the petitioner's lands situated at Kattazhai Village, Chidambaram Taluk, Cuddalore District lands comprised in S.No.37/14A, 0.090.0 extent, Patta No.109 under the Central Act No.30 of 2013.

2. The case of the petitioner is that the petitioner's land comprised in S.No.37/14A to an extent of 0.09.0 situated at Kattazhai Village, Chidambaram Taluk, Cuddalore District is an agricultural land and for the purpose of expansion of mine for Neyveli Lignite Corporation, the aforesaid



lands were proposed to be acquired under Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997. Even though notice under section 3(2) of the aforesaid act was issued, nothing was heard thereafter. Therefore, the petitioner and other land owners made a request under the Right to Information Act regarding the status of the acquisition. In response, the third respondent sent a reply dated 09.10.2014 that various lands situated in Kattazahai and other villages are to be acquired under the Land Acquisition Industrial Purpose Act and the interim compensation will be paid to the land owners with reference to Central Act No.30 of 2013. This being so, the third respondent has issued a notice calling upon the petitioner to appear for an award enquiry on 02.07.2015 and the petitioner had also appeared before the third respondent with his objections. Since the petitioner was not allowed to make any representation, he sent the objections by RPAD. The present writ petition is being filed, questioning the award notice issued under the State Enactment, which is no longer available for determination of compensation.

3. Learned Additional Government Pleader appearing for the respondents would submit that the compensation amount was awarded by the



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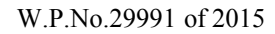
Land Acquisition Officer/District Collector, Cuddalore as early as on 29.04.2022, however the petitioner did not come forward to receive the same.

Hence, the compensation amount of Rs.46,46,846/- was deposited in the Principal District Court, Cuddalore.

4. Learned counsel for the petitioner would submit that petitioner may be permitted to withdraw the compensation amount, which was deposited in the Principal District Court, Cuddalore.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. In view of the submissions made by the learned counsel on either side, this Court permits the petitioner to file an appropriate application to withdraw the compensation amount of Rs.46,46,846/- (Rupees Forty Six Lakhs Forty Six Thousand Eight Hundred and Forty Six only) deposited in the Principal District Court, Cuddalore. If the petitioner is not satisfied with the



7. With the aforesaid direction, this writ petition is disposed of. No
Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes/No

1.The Secretary,
Industries Department,
Fort St.George, Secretariat,
Chennai – 600 009.



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2.The District Collector,
Cuddalore District,
Cuddalore.

3.The Special Tahsildar – LA No.15,
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M.DHANDAPANI,J.

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