



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.11810 of 2020

J.Prabhu

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Petitioner

Vs

- 1.State of Tamilnadu,
Rep. by the Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai 600 005
- 2.The Collector of Kanchipuram,
Kanchipuram District,
Kanchipuram
- 3.The Special District Revenue Officer,
(Land Acquisition),
SIPCOT Sriperumbudur Expansion Scheme-II,
No.42, Thirumanai Alwar Street,
(Near Vanniyar Kalyana Mandapam),
Sriperumbudur 602 105
- 4.The Special Thasildar,
(Land Acquisition),
SIPCOT Scheme-II,
Sriperumbudur Expansion Scheme-II,
Sriperumbudur

...

Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the fourth respondent to refer the case pertaining to Na.Ka.No.08/2013/A dated 07.06.2013 to the District Collector in terms of Section 7 (3) of the Tamilnadu Acquisition of Land for Industrial Purposes Act, 1997 (TN Act 10 of 1999) within a time to be fixed by this Court.

For Petitioner : Mr.Sabarish
for Mr.S.Kingston Jerold

For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader



ORDER

This writ petition is filed for direction directing the fourth respondent to refer the case pertaining to Na.Ka.No.08/2013/A dated 07.06.2013 to the District Collector in terms of Section 7 (3) of the Tamilnadu Acquisition of Land for Industrial Purposes Act, 1997 (TN Act 10 of 1999) within a time to be fixed by this Court.

2. Heard, Mr.Sabarish, the learned counsel for the petitioner and Mr.G.Krishna Raja, Additional Government Pleader appearing for the respondents.

3. The petitioner's land comprised in survey No.61/7 situated at 127, Vadagal 'A' Palnallur Village admeasuring 0.95.0 hectares was acquired by the Tamilnadu Government and the Industrial Department setting up a scheme for construction of Industrial Complex by SIPCOT invoking provisions of Tamilnadu Acquisition of Land for Industrial Purposes Act, 1997. Accordingly, notification was issued and the petitioner also participated in the enquiry and raised objections. However, those objections were overruled and the Government proceeded with the acquisition. Thereafter, after conducting award enquiry, award has been passed on 07.06.2013 fixing the compensation as determined by the fourth respondent at Rs.250/- per sq.ft. and accordingly compensation fixed at Rs.2,19,14,750/-. Immediately the petitioner submitted application on 01.07.2013 for reference for enhancement of compensation. However it was not considered till today.

4. Considering the above, the third respondent is directed to refer the award for enhancement of compensation before the competent civil court as per Section 8 of the Tamilnadu Acquisition of Land for Industrial Purposes Act, 1997, within a period of four weeks from the date of receipt of copy of this order. if not already referred before the civil court.

5. With the above direction, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary and
Commissioner of Land Administration,
Chepauk, Chennai 600 005
- 2.The Collector of Kanchipuram,
Kanchipuram District,
Kanchipuram
- 3.The Special District Revenue Officer,
(Land Acquisition),
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- 4.The Special Thasildar,
(Land Acquisition),
SIPCOT Scheme-II,
Sriperumbudur Expansion Scheme-II,
Sriperumbudur.

+1cc to the Government Pleader, S.R.No.3068

WP.No.11810 of 2020

RR(CO)
CB(04/02/2022)