



W.P.Nos.26080 & 26084 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.26080 & 26084 of 2022

P.C.Varghese
Dr.S.Veerakumari

... Petitioner in W.P.No.26080 of 2022
... Petitioner in W.P.No.26084 of 2022

Versus

1.The District Collector
Kancheepuram District
Kancheepuram

2.The Special Thasildar (LA)
SIPCOT Unit – I
Oragadam Expansion Scheme - II
Sriperumbudur

.. Respondents in both cases

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd Respondent to consider the representation given by the petitioners dated 11.08.2021 and 03.12.2021 for enhancement of compensation.

In both cases

For Petitioners
For Respondents

: M/s.G.Sridevi
: Mr.T.K.Saravanan
Government Advocate



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COMMON ORDER

These writ petitions are filed seeking to direct the 2nd Respondent to consider the representation given by the petitioners dated 11.08.2021 and 03.12.2021 for enhancement of compensation.

2. According to the petitioners, their respective lands admeasuring 4800 sq.ft., in S.No.253/7BC and 1699 1/2 Sq.ft in S.No.253/7A situated in Eraiyur Village, Sriperumbudur Taluk, Kancheepuram District were sought to be acquired under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter referred to as 'Act') for the purpose of expansion of SIPCOT Oragadam Industrial Expansion. Further, the respondents officials issued notices under Section 3(2) of the Act to the petitioners and conducted meeting. Further, on 30.07.2021, the respondents officials have credited the compensation amount in their bank accounts. Aggrieved by the quantum of compensation amount, the petitioners made representation to the second respondent on 11.08.2021 and 03.12.2021 respectively for enhancement of compensation. Till date action is not taken. Hence, these petitions.



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3. The learned counsel for the petitioners submits that without the consent of the petitioners, the compensation amount has been deposited in their bank accounts and submits that that they are entitled to seek enhancement of compensation amount under Section 8 of the Tamil Nadu acquisition of Lands for Industrial Purposes Act, 1997 read with Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013). Hence, she seeks this Court to direct the second respondent to consider the representations of the petitioners.

4. Heard both sides and perused the materials placed on record.

5. Considering the facts and circumstances of this case, this Court directs the second respondent to consider the representations of the petitioners dated 11.08.2021 and 03.12.2021 respectively seeking reference of the matters to the competent Civil Court for redetermination of compensation amount under Section 8 of the Act read with Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) and pass appropriate order(s) on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of



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this Order.

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6. Accordingly, these writ petitions are disposed of with the above directions. There shall be no order as to costs.

29.09.2022

Internet: Yes/No

Index: Yes/No

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To

1.The District Collector
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Kancheepuram

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M.DHANDAPANI, J.

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