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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.06.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.30221 of 2018

S Thangavel

... Petitioner

Vs.

1. The Principal Secretary,
Revenue Department,
Secretariat, Chennai-9.

2. The Principal Secretary,
Industries Department,
Secretariat, Chennai-9.

3. The District Collector,
Collectorate, Namakkal District.

4. The Special Tahsildar,
(Land Acquisition)
Sangagiri Taluk, Salem District.

5. M/s.Chemplast Sanmar Limited,
Rep. By its Company Secretary,
No.9, Cathedral Road, Chennai-86.

6. M/s.Sankari Chemicals Industries Limited,
Rep. By its Managing Director,
No.3-3-23A, Bharathi Nagar, Akkamapet,
Sankari-637 301.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 3rd Respondent to dispose of the representation dated 20.02.2016 and to take necessary steps to retrieve the land.

For Petitioners: Mr.P.Vijendran

For Respondent : Mr.G.Krishna Raja, AGP RR1 to 4
Dr.P.Vasudevan R6



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O R D E R

This Writ Petition has been filed seeking a direction to the 3rd Respondent to dispose of the representation dated 20.02.2016 and to take necessary steps to retrieve the land.

2. The case of the petitioner is that the petitioner's land was acquired in S.Nos.30,31,35,38,40,42,44 situated at Sowthapuram & Pallipalayam Villages, Thiruchengode Taluk, Namakkal District for the Government in order to lease out the same to Mettur Chemicals and Industries Company in the year 1978. The said lands was acquired and awarded very meagre compensate to the petitioner and therefore, the matter was referred to the Civil Court for fixing the fair compensation. The said case was taken on file in LAOP Nos.11 of 1979 and 4 of 1980 and the learned Judge had allowed the cases and enhanced the compensation. However, the 5th respondent did not pay the enhanced compensation to the petitioner. Therefore, the petitioner made a representation on 20.02.2016 to the respondents to pay the enhanced compensation or return back the lands to the petitioner. Till date, the respondents have not considered the same and hence, the petitioner has filed the present petition before this Court seeking appropriate remedy.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the representation dated 20.02.2016 and to implement the order in LAOP Nos.11 of 1979 and 4 of 1980 within the time frame as fixed by this Court.

4. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and the learned counsel for the 6th respondent and perused the materials available on record.

5. Considering the facts and circumstances of the case and the limited request made by the petitioner, this Court directs the respondents to consider the representation dated 20.02.2016 made by the petitioner and to take steps to implement the order in LAOP Nos.11 of 1979 and 4 of 1980, after providing opportunity to the petitioner 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 direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar



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To

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1. The Principal Secretary,
Revenue Department,
Secretariat, Chennai-9.
2. The Principal Secretary,
Industries Department,
Secretariat, Chennai-9.
3. The District Collector,
Collectorate, Namakkal District.
4. The Special Tahsildar,
(Land Acquisition)
Sangagiri Taluk, Salem District.

+1cc to Mr.P.Vijendran, Advocate SR.No.35673

+1cc to Mr.P.Vasudevan, Advocate SR.No.35678

+1cc to Government Pleader SR.No.36430

W.P.No.30221 of 2022

AD(CO)

GMV(01/07/2022)