



W.P.No.6075 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6075 of 2023

1.A.Rangasayee

2.A.Seshasayee

...Petitioners

-Vs-

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Managing Director,
SIPCOT (Head Office),
No.19-A, Rukmini Lakshmipathi Road,
Egmore, Chennai - 600 008.

3.The Special District Revenue Officer (LA),
SIPCOT, Pillaipakkam,
Sriperumpudur, Kancheepuram - 602 105.

4.The Special Tahsildar (LA),
SIPCOT TACID Division,
Oragadam Existing Scheme,
Sriperumpudur, Kancheepuram - 602 105.
...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide just and fair compensation to the petitioners for the total lands of 20,930 sq.ft. acquired by the 2nd to 4th respondents in Survey Nos.69, 70/1 of Karanaithangal Village, Sri Jai Krishna Nagar, Sriperumbudur Taluk, Chengalpattu District (now Kancheepuram District).

For Petitioners : Mr.Jerry V.V.Sundar

For R1, R3 & R4 : Mr.C.Jayaprakash
Government Advocate

For R2 : Mr.G.Suresh Kumar,
Standing Counsel

ORDER

The relief sought for in the present Writ Petition is to direct the respondents to provide just and fair compensation to the petitioners for the total lands of 20,930 sq.ft. acquired by the respondents 2 to 4 in Survey Nos.69, 70/1 of Karanaithangal Village, Sri Jai Krishna Nagar, Sriperumbudur Taluk, Chengalpattu District (now Kancheepuram District).

2. The petitioners state that the lands belonging to their aunts, as detailed below, have been conferred for public purposes:



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3. I submit that the details of lands owned by them at Sri Jai Krishna Nagar, Karanaithangal Village, Sriperumbudur Taluk, Chengalpattu District (now Kancheepuram District) are as given below:-

SL. No	Name of the Owner	Document No.	Survey No.	Plot No.	Extend of Land in Sq. Fts.
1	Miss.R.Kalyani, D/o A.Rajagopala Iyengar	8048/1983 dated 12.09.1983 and 9208/1983 dated 25.10.1983	70/1	40, 41, 42, 43, 44, 45, 57 and 58	15150
2	Miss.R.Jayamani, D/o A.Rajagopala Iyengar	8048/1983 dated 12.09.1983	69	29	1930
3	Miss.R.Ramamani, D/o A.Rajagopala Iyengar	8147/1983 dated 15.09.1983	69	30	2050
4	Miss.R.Rukmani, D.o Rajagopala Iyengar	8148/1983 dated 15.09.1983	69	31	1800

4. The award was passed in the year 2001 and the compensation determined was also deposited.

5. The learned counsel for the petitioner states that the legal heir certificate and other relevant documents were already submitted before the Land Acquisition Officer for the purpose of settling the compensation.

6. The learned Government Advocate relied on the counter affidavit



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and submitted that the authorities have taken steps to settle the compensation in favour of the land owners. Several notices sent by the authorities were not responded and thus, the amount of compensation was deposited. Subsequently, the petitioners have made a claim for settlement of compensation.

7. The counter affidavit filed by the Special Tahsildar, Land Acquisition, states as follows:-

"12. The averments contained in Para 8, 9, 10 and 11 of the affidavit is incorrect. The representation of the petitioner dated 9.1.2023 seeking for fair compensation along with interest for the lands acquired, have been verified by the respondents with all the available records. Without giving adequate time to verify the records, the petitioners have approached the Hon'ble Court prematurely. Further, the records show that even though the notice served on them to get their compensation amount, the then land owners did not turn up to receive the compensation and as such the same was kept in work deposit. Since the then land owners did not turn up to



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receive the compensation, all the attempts made by the respondents to disburse the compensation did not fructify. Now, having substantiated the heirship of deceased land owners, the compensation amount shall be disbursed to the petitioners in accordance with law after verification of proper records. The petitioners on the other hand rushed before this Hon'ble Court without affording any opportunity to verify the records to the status of payment. This respondent submits that on having established the right to succeed over the estate of deceased land owners, the respondents are at the verge of disbursing the compensation. All other averments made to the contrary are denied as false.

13. It is submitted that the land in question was acquired for industrial purposes and compensation was awarded after having followed the due procedures contemplated under the Land Acquisition Act, 1894. It is submitted that notice was sent to the land owners to receive the compensation amount having been awarded under the Act. The land owners neither appeared before the authorities to receive the compensation nor raised any objection on the amount



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awarded. Hence, the said amount payable towards compensation was held in work deposit in view of the fact that claim has not been made so far. The petitioners claiming to be the legal heirs of deceased land owners to whom compensation was awarded and kept in work deposit, on verification of the relevant records as provided under the Act, the compensation amount will be disbursed to the petitioners. The petitioners virtually sent a representation to the authorities as if legal heirs of deceased claimants, the authorities should be provided with adequate opportunity to verify the records in order to avert the misconception of facts and records. The petitioners have urged for compensation before this Hon'ble Court at a premature stage immediately after getting the legal heirship certificate in their favour and the respondents are not given enough time to verify the records. On satisfaction of the enquiry to be held by the respondents, the compensation amount will be disbursed to the petitioners if they are really entitled to."

8. In view of the counter affidavit filed by the respondents, the



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petitioner is at liberty to approach the respondents and on such approach, the respondents are directed to verify the identity of the petitioners and accordingly settle the compensation without causing any undue delay.

9. With this direction, the Writ Petition stands allowed. No costs.

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Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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To

- 1.The District Collector,
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S.M.SUBRAMANIAM, J.

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