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W.P.No.12576 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.12576 of 2023

P.Gopalakrishnan

...Petitioner

Vs.

1. Indian Oil Corporation Limited,
Rep. by Deputy Collector/Competent Authority,
EPBPNMT/R-LNG Pipe Line Project,
Plot No.32, Balaambal Subramanian Street,
Behind Collector Office, Vivekananthan Nagar,
Valudureddy Post, Villupuram District - 605 401.
2. The District Collector,
Chengalpattu, Chengalpattu District.
3. The Tasildhar,
Mathuranthagam, Chengalpattu District.
4. The Village Administrative Officer,
Pathiri Village, Mathuranthagam Taluk,
Chengalpattu District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 25.10.22 with regard to paying remaining compensation for acquiring the land in Survey No.255/2 situated at No.62 Pathiri Village, Mathuranthagam Taluk, Chengalpattu District and also to



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close the pipe line laid in the petitioner's land in Survey No.256 and 255/2 situated at Paathiri Village, Mathuranthagam Taluk.

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For Petitioner : Mr.E.Sathiyaraj

For Respondents : Mr.Mohammed Riyaz Ali, for R1
: Mr.E.Veda Bagath Singh, Spl.GP, for R2 - 4

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.10.2022 with regard to payment of compensation for acquiring the subject land and also to close the pipe line laid in the petitioner's land in Survey No.256 and 255/2.

2. Mr.Mohammed Riyaz Ali, learned counsel takes notice for the 1st respondent and Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents 2 to 4. In view of the consent expressed by the Learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner's father namely



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Perumal purchased the lands comprised in S.Nos.256 & 255/2, measuring an extent of 1.97 acre and 94 cents respectively, situated at Paathiri Village,

Chengalpattu District, vide registered Sale deed dated 07.02.1993 bearing Doc.No.101/1993. Thereafter, the said Perumal settled the above said lands in favour of the petitioner, vide registered Settlement deed dated 20.10.2022 bearing Doc.No.3509 of 2020 and pursuant to the said settlement, the petitioner is in absolute possession and enjoyment of the same. While so, the 1st respondent issued a notice dated 10.01.2020 to the petitioner's father, proposing to acquire the above said lands for the purpose of Gas pipeline project and subsequently, the 1st respondent paid the entire compensation of Rs.5,50,206/- to the petitioner by way of cheques in respect of the land in S.No.256. However, in respect of the land comprised in S.No.255/2, the 1st respondent paid a first instalment of compensation of Rs.2,48,350/- and agreed to pay the remaining compensation amount to the petitioner. Thereafter, the 1st respondent laid the pipe line in the petitioner's land in S.No.255/2, without paying the remaining compensation amount to the petitioner and it is pertinent to note that, the 1st respondent closed the pipe line for agricultural lands of the other persons, however, the pipe line in the



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subject lands were not closed. Aggrieved by the same, the petitioner made a representation dated 25.10.2022 before the respondents, seeking to pay the remaining compensation for the land in S.No.255/2 and also to close the gas pipe line in the petitioner's agricultural lands. However, till date, no orders have been passed on the said representation. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 25.10.2022 and pay the remaining compensation amount to the petitioner as expeditiously as possible.

5. Learned counsel appearing for the respective respondents have no serious objection for the said order being passed.

6. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 25.10.2022 on merits and in accordance with law and pass



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appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above observations and directions, this Writ petition stands disposed of. No costs.

25.04.2023

skt

Speaking Order : Yes/ No
Index : Yes/ No

To

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M.DHANDAPANI., J.

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