



W.P.No.40512 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.40512 of 2016

and

W.M.P.No.34545 of 2016

M/s.Maiaam Global Foods Ltd.,
C.S. No.1, SIDCO Industrial Estate,
MMDA Colony, Arumbakkam,
Egmore-Nungambakkam Tk,
Chennai-600 106,
Rep. by its Managing Director
Mr.V.Thilagarasu.

... Petitioner

Vs.

1. The Secretary,
To the State of Tamilnadu,
Industries Department,
Fort St. George, Chennai.

2. The District Collector,
O/o.The District Collector,
Kancheepuram District.

3. The Special Thasildar (Land Acquisition),
SIPCOT Wing III,
Sriperumbudur Expansion Scheme-Unit III,
Sriperumbudur Taluk, Kancheepuram District.



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4. The District Revenue Officer,
Land Acquisition,
SIPCOT Expansion Scheme,
Vadagal "B" Village,
Thirumangaiyalvar Street,
Sriperumbudur Taluk,
Kancheepuram District.

5. The Thasildar,
Sriperumbudur Taluk,
Kancheepuram District.

6. ICICI Bank Ltd.,
Rep. by its Authorised Officer,
Corporate Office, No.1,
Cenotaph Road, Chennai-600 018.

7. P.Natesan

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the second respondent, being the Appropriate Authority under the Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997 to exercise the powers conferred on him under Sections 7(1) to (12) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, and direct the second respondent to adjudicate on the ownership of the land under acquisition and determine the compensation amount payable to the petitioner and disburse the compensation amount directly to the respondent No.6 to the credit of the loan accounts of the petitioner with the respondent No.6 bank in pursuance to the petitioner representation dated 10.02.2016.



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For Petitioner : Mr.K.Gowtham Kumar

For Respondents : M/s.Ramalingam, (for R6)

Mr.V.Veluchamy,
Additional Government Pleader,
(for R1 to R5)

R.7 – Not ready in Notice

ORDER

The writ petition is filed in the nature of Mandamus, to direct the second respondent, being the Appropriate Authority under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, to exercise the powers conferred on him under Sections 7(1) to (12) of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997, and direct the respondent No.2 to adjudicate on the ownership of the land under acquisition and determine the compensation amount payable to the petitioner and disburse the compensation amount directly to the respondent No.6 to the credit of the loan accounts of the petitioner with the respondent No.6 bank, in pursuant to the petitioner's representation dated 10.02.2016.



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2. The present writ petition is filed by the subsequent purchaser or the owner of the land in Survey No.142/5 A1 & 142/A1B. Though the acquisition proceedings had been completed, so far, the Award has not been passed. Therefore, the petitioner has filed the present writ petition to direct the second respondent / appropriate authority to conduct the inquiry in the manner known to law.

3. The learned Additional Government Pleader, appearing for the respondents 1 to 5 also admitted that the acquisition had been made for the SIPCOT. However, so far, the Award enquiry has not been finalised. It is seen from the typed set of papers that the Notification was issued on 29.11.2011, and it was kept pending for more than 12 years.

4. Therefore, the second respondent is directed to conduct the enquiry in the manner known to law and fix the compensation and conduct the inquiry in the manner known to law and pass award within a period of two (2) months from the date of receipt of a copy of this order.



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However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

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