



WEB COPY

W.P.Nos.34544, 34546 and 34547 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.34544, 34546 and 34547 of 2022

W.P.No.34544 of 2022

Sundarammal @ Sundariammal

... Petitioner

Vs.

1.The Special Tahsildar (LA) Unit – 1,
MRL Aromatic Scheme,
Saidapet, Chennai – 600 015.

2.Madras Refineries Limited (CPCL),
Chennai Petroleum Corporation Limited,
Aromatic Complex,
Saidapet, Chennai – 600 015.

3.The Company Secretary,
Chennai Petroleum Corporation Limited,
No.552, Anna Salai,
Chennai 18.

4.M/S Toshiba JSW Turbine and Generator Pvt Ltd.,
Vaikkadu Village,
Andarkuppam Check Post,
Manali New Town,
Chennai – 600 103.

... Respondents



W.P.No.34546 of 2022

R.Prabakaran

... Petitioner

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Saidapet, Chennai – 600 015.

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Saidapet, Chennai – 600 015.

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Chennai Petroleum Corporation Limited,
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4.M/S Toshiba JSW Turbine and Generator Pvt Ltd.,
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Chennai – 600 103.

... Respondents

W.P.No.34547 of 2022

Anbhazhagan

... Petitioner

Vs.

1.The Special Tahsildar (LA) Unit – 1,
MRL Aromatic Scheme,
Saidapet, Chennai – 600 015.



2. Madras Refineries Limited (CPCL),
Chennai Petroleum Corporation Limited,
Aromatic Complex, Saidapet, Chennai – 600 015.

3. The Company Secretary,
Chennai Petroleum Corporation Limited,
No.552, Anna Salai,
Chennai 18.

4. M/S Toshiba JSW Turbine and Generator Pvt Ltd.,
Vaikkadu Village,
Andarkuppam Check Post,
Manali New Town,
Chennai – 600 103.

... Respondents

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to pay forty percent of the appreciated land value shall be shared among the petitioners from whom the lands were acquired in proportion to the value at which the lands were acquired in proportion to the value at which the lands were acquired along with interest at 18% per annum from the date of G.O.(Ms).No.110 Industries (MIA-1) Department, dated 11.09.2009 to till date of realisation in the equity of justice as the lands have been acquired for industrial purpose.

For Petitioners : Mr.M.Kalyanasundaram,
Senior Counsel
For Mr.N.Thirumalai (in 3 W.Ps)

For Respondents : Mr.D.Ravichander,
Special Government Pleader
(for R1) (in 3 W.Ps)



Mr.N.Nithianandam
(for R3) (in 3 W.Ps)

Not ready in notice
(for R2 & R4) (in 3 W.Ps)

COMMON ORDER

The relief sought for in these present writ petitions is to direct the respondents 1 and 2 to pay 40% appreciated land value which shall be shared among the petitioners from whom the lands were acquired in proportion to the value at which the lands were acquired along with interest at 18% per annum from the date of G.O.(Ms).No.110 Industries (MIA-1) Department, dated 11.09.2009 to till date of realisation in the equity of justice as the lands have been acquired for industrial purpose.

2. It is not in dispute that the lands belonging to the petitioners were acquired for public purposes. The Land Acquisition Officer determined the compensation to be settled and an award was passed. Based on the award, the compensation was settled in favour of the petitioners / land losers. A reference was made before the Sub-Court, Ponneri in L.A.O.P.No.229 of



1998 and the Sub-Court also disposed of the L.A.O.P enhancing the compensation in favour of the land losers.

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3. The learned counsel appearing on behalf of the 3rd respondent brought to the notice of this Court that the enhanced compensation was also settled in favour of the land losers and they have not filed any further appeal challenging the order passed in the L.A.O.P. proceedings. The dispute between the land losers / family members cannot be resolved in a writ proceeding.

4. Therefore, the land was acquired and the compensation determined are settled and the said compensation paid was enhanced by the Sub-Court and the enhanced compensation was also settled in favour of the land losers. If at all the petitioners are aggrieved from and out of the order passed by the Sub-Court in L.A.O.P. Proceedings, an appeal is to be filed. That being the remedy available, the relief as such sought for in the present writ petition at this length of time cannot be granted.



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costs.

5. With these observations, these Writ Petitions stand dismissed. No

15.06.2023

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Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

To

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S.M.SUBRAMANIAM, J.

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