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W.P.No.21957 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.No.21957 of 2021
and
WMP.No.23160 of 2021

S.Thanka Sivan

...Petitioner

Vs.

- 1.The Additional Chief Secretary to Govt
The Secretary to Govt
Industries Department
Fort. St.George, Chennai-600 009.
- 2.The Additional Chief Secretary/
Commissioner of Land Administration
Chepauk, Chennai-600 005.
- 3.The Chairman & Managing Director
SIPCOT
19-A, Rukmani Lakshmipathy Salai
Egmore, Chennai -600 008.
- 4.The District Collector
Kancheepuram District
Kancheepuram.



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5.The Special Tahsildar
Land Acquisition
Sriperumbudur Expansion Scheme II
Division – 5, Sriperumbudur
Kancheepuram.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent authorities to act upon the representations dated 24.05.2017 and 05.10.2019 submitted by the petitioner and direct the respondents to either to pay the compensation as per the First Schedule of Central Act 30 of 2013 by reckoning the guideline value as of 01.01.2014 for the petitioner's land in Survey No.275/1, measuring Ac.03-12 cents (three acres and twelve cents), Vallam-B Village, Sriperumbudur Taluk, Kancheepuram District or in the alternative to issue necessary orders dropping the acquisition proceedings with regard to the said land and grant NOC to the petitioner and pay suitable compensation for the deprivation of valuable right of property for more than 10 years due to the repeated acquisition proceedings by the respondents and also direct the respondents to provide proper access road to the petitioner's land from the industrial layout being formed by the respondents in the surroundings lands in Vallam-B Village, within a time limit to be fixed by this Court.

For Petitioner : M/s.Suhrith Parthasarathy



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For Respondents : Mr.P.Sathish for R1, R2 & R5
Additional Government Pleader
Mr.Abishekmurthy for R3
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondent to act upon the representations dated 24.05.2017 and 05.10.2019 and pay compensation as per the First Schedule of Central Act 30 of 2013 by taking 01.01.2014 as base date for the purpose of calculating compensation in respect of the petitioner's land situated in S.No.275/1 at Vallam-B Village, Sriperumbudur Taluk, Kancheepuram District, acquired by respondents.

2. The fourth respondent herein has filed a counter affidavit stating that the compensation for acquired land will be calculated as per Central Act 30 of 2013. The relevant averments read as follows:

“...15. It is submitted that in view of the above intended acquisition proceedings initiated under the 1997 Act, the determination of compensation would be arrived at in line with the Central Act and hence there is no question of withdrawal of the proceedings...”

3. The learned counsel for the petitioner would submit that in



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view of the stand taken by the respondents that calculation of compensation for the petitioner's land will be undertaken as per the provision of Central Act 30 of 2013, the Writ Petition may be closed recording the statement of the respondents. The said statement of the learned counsel for the petitioner is recorded.

4. Accordingly the averment in the counter affidavit that determination of compensation shall be as per provision of Central Act is recorded and this Writ Petition is disposed of. The respondents are directed to expedite the process of passing award and in any event the award shall be passed within a period of six months from the date of receipt of copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

30.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To



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S.SOUNTHAR, J.
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