



WEB COPY



W.P. No.21408 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

W.P. No.21408 of 2024

V.Ramesh Babu

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District, Kancheepuram.
 2. The Chief Secretary, Government of Tamilnadu,
Office of the Secretariat, Chennai – 600 008.
 3. The Secretary, Industries [SIPCOT-LA] Department,
Secretariat, Fort St. George, Chennai – 600 009.
 4. The Managing Director, SIPCOT,
Door No.19-A, Dr.Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.
 5. The Special District Revenue Officer, [Land Acquisition],
Oragadam and Irungattukottai Expansion Scheme,
SIPCOT, Pilaippakkam Village,
Sriperumbudur Taluk, Kancheepuram District.
 6. The Special Tahsildar, [Land Acquisition],
SIPCOT, Unit I, Sriperumbudur,
Expansion Scheme-II,
Sriperumbudur, Kancheepuram District.
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India,



W.P. No.21408 of 2024

praying for the issuance of Writ of Mandamus directing the first respondent herein to refer the matter arising out of Award No. 10/2020 vide Na.Ka.No.157/2009 dated 10.12.2020 passed by the 1st respondent herein in so far as the petitioners lands are concerned to the Competent Court for re-determination of compensation as per right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 pursuant to the Petitioners representation dated 08.04.2021 and 05.07.2023.

For Petitioner : Mr.J.Ram

For Respondent : Mr.U.Baranidaran
Additional Government Pleader – R1 to R3, R5, 6

Mr.Abishek Murthy – R4

O R D E R

With the consent of both sides, this Writ Petition is taken up for disposal at the admission stage itself.

2. This Writ Petition has been filed to direct the first respondent herein to refer the matter arising out of Award No. 10/2020 vide Na.Ka.No.157/2009 dated 10.12.2020 passed by the 1st respondent herein in so far as the petitioners lands are concerned to the Competent Court for re-determination of compensation as per right to Fair compensation and



W.P. No.21408 of 2024

Transparency in Land Acquisition Rehabilitation and Resettlement Act
2013 pursuant to the Petitioners representation dated 08.04.2021 and
05.07.2023.

3. The case of the petitioner is that the father of the petitioner is the owner of the property situated at Mambakam Village, Sriperumbudur Taluk, Kancheepuram District comprised in S.Nos.120/2A1A, 120/2A2A ad-measuring 6.42.0 Hectares. While so, the property was acquired by the Government for the purpose of expansion of SIPCOT Industrial Complex, for which, notification was issued on 08.07.2008. Thereafter, the first respondent has passed an interim award on 31.03.2015. Subsequently, the parents of the petitioner died leaving behind the petitioner and his sister as their legal heirs. After the death of the petitioner's parents, the first respondent passed the award on 10.12.2020 without properly ascertaining the market value and without affording an opportunity to the petitioner. Hence, the petitioner and his sister gave a representation for enhancement of compensation and to refer the matter to the Court/statutory authority for enhancement of compensation. However, the same has not been considered by the first respondent. Hence, the present Writ Petition.



W.P. No.21408 of 2024

4. Considering the limited prayer sought for by the writ petitioner, the first respondent is directed to consider the representation of the petitioner dated 08.04.2021 and 05.07.2023 and refer the matter to the competent Court for re-determination of compensation as per right to Fair compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013.

5. With the above directions, this Writ Petition is disposed of. No costs.

01.08.2024

vrc

Index: Yes/ No

Internet: Yes/No

To

1. The District Collector,
Kancheepuram District, Kancheepuram.
2. The Chief Secretary, Government of Tamilnadu,
Office of the Secretariat, Chennai – 600 008.
3. The Secretary, Industries [SIPCOT-LA] Department,
Secretariat, Fort St. George, Chennai – 600 009.
4. The Managing Director, SIPCOT,



W.P. No.21408 of 2024

Door No.19-A, Dr.Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.

WEB COPY

5. The Special District Revenue Officer, [Land Acquisition],
Oragadam and Irungattukottai Expansion Scheme,
SIPCOT, Pilaippakkam Village,
Sriperumbudur Taluk, Kancheepuram District.
6. The Special Tahsildar, [Land Acquisition],
SIPCOT, Unit I, Sriperumbudur,
Expansion Scheme-II,
Sriperumbudur, Kancheepuram District.



WEB COPY



W.P. No.21408 of 2024

N. SATHISH KUMAR, J.

VTC

W.P. No.21408 of 2024

01.08.2024