



WEB COPY



W.P.No.29508 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.29508 of 2023

and

W.M.P.No.29128 of 2023

1. Nirmala Raoji Sawdekar

2. Sheela Shankar Pohani,
Represented by Power of Attorney,
V.G.Subramaniam,
S/o, V.A.Gopalakrishnan,
A-6, 202, Rutu Enclave,
At Ghodbunder Road,
Thane (W) 400 615.

... Petitioners

Vs.

1 The Collector,
Kancheepuram.

2 The Special Thasildar
(Land Acquisitions),
Tacit Division,
Orakadam project (SIPCOT),
Sriperumbudur.

3 The Managing Director
SIPCOT, Egmore, Chennai 600008.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to reconvey the unutilized lands in Survey Nos. 441/1 and 441/2 part Plot Nos. 379 to 384 admeasuring 14,400 sq.feet in Jamunampattu Village, Sriperumbudur Taluk.

For Petitioner : Mr.K.Venkatesan
For R1 & R2 : Mr.A.Selvendran
Special Government Pleader
For R3 : Mrs.Sudharsana Sundar
SC for SIPCOT

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to reconvey the unutilized lands in Survey Nos. 441/1 and 441/2 part Plot Nos. 379 to 384 admeasuring 14,400 sq.feet in Jamunampattu Village, Sriperumbudur Taluk.

2. Heard the learned counsel appearing for the petitioners, learned Standing Counsel appearing for the third respondent and the learned Special Government Pleader appearing for the respondents 1 & 2.

3. The respondents have filed their counter stating that the lands



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comprised in S.No.441/1 and 441/2 in Vallam village inclusive of all other lands were notified for acquisition under Section 4(1) of Land Acquisition Act, 1894. The Award enquiry under Section 9(1) and 10 of the Act was issued to the land owners on 17.09.1998. The respondents have awarded compensation and the petitioners were called upon by the second respondent and requested the petitioners to receive the Award amount by producing all the original documents. The petitioners neither turned up to receive the Award amount nor produced the relevant original documents for verification. Hence, the respondents have deposited the Award amount in the Revenue deposit. Further the respondents have stated that the acquired land was allotted to one M/s. Accord Life Spec. Private Limited and M/s.Steel Strips Wheels Limited on 16.12.2014 and 22.05.2016 respectively and the said companies are now functioning well by providing various employment opportunities to the youth of the State.

4. In view of the above facts and circumstances and the submissions made, it is found that already land in question was acquired



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by the authorities concerned and since the petitioners refused to receive the Award amount on production of original certificates/documents, the respondents deposited the same in the Revenue deposit. The beneficiaries are in possession of the property. Hence, the petitioners are not entitled to get the relief as sought for by them in the writ petition. If the petitioners are approaching the respondents, the respondents are directed to disburse the compensation amount to the petitioners, if the petitioners are otherwise entitled for the award amount. However, the petitioners are at liberty to workout their remedy to receive the award amount in the manner known to law.

5. With the abovesaid direction, the Writ Petition is dismissed. There shall be no order as to costs. W.M.P.No.29128 of 20223 is ordered on payment of separate court fees by each of the petitioners.

09.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.

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