



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**WP No. 6604 of 2025 & WMP No. 7265 of 2025**

1. RAVISHANKAR

S/o.Late P.V. Dhanpal Mudaliar,
Poovalambedu Village and Post,
Gummidipoondi Taluk, Thiruvallur
District.

Petitioner(s)

Vs

1. The District Collector
Thiruvallur District, Thiruvallur.

2.The Special District Revenue Officer
(Land Acquisition) , Manellore- Sipcot
Project , Phase - IIII, Camp at
Kavaraipet Village, Kilmudalambedu
Post, Gummidipoondi Taluk,
Thiruvallur District.

3.The Special Tahsildar (Land
Acquisition)
Unit -II, Sipcot - Manellore (Phase-
II), No.26, Samarapuri Nagar,



Kavarapettai, Keelmudalambedu Post,
Gummidipoondi Taluk, Thiruvallur
District.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents particularly the Respondents 2 and 3 to refer the dispute to the Authority concerned, that is before the Principal District Judge Court at Thiruvallur, for necessary adjudication of dispute between the Petitioner and others, with regard to the apportionment of compensation in respect of the lands measuring Acre 6.50 Cents comprised in old Survey No.174/1, which are presently in New Survey Numbers 174/1A, 174/1B, 174/1C, 174/1D, 174/1E, 174/1F, 174/1G and the lands measuring Acre 0.50 cents comprised in Old Survey No.175/1, presently in New Survey Numbers 175/1A, 175/1B, 175/1C, 175/1D and 175/1E all at Vaniamalli Village, in Gummidipoondi Taluk, Thiruvallur District, as per section 75 and 76 of the Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation and Resettlement Act, 2013.

For Petitioner(s): Mr.Krishnaswamy R.

For Respondent (s): Mr.P.Sathish

Additional Government Pleader

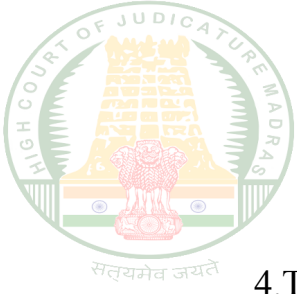
ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd and 3rd respondents to refer the dispute regarding apportionment of compensation with respect to the subject property.



2. Heard Mr.R.Krishnaswamy, learned counsel appearing on behalf of the petitioner and Mr.P.Sathish, learned Special Government Pleader appearing on behalf of respondents.

3.The case of the petitioner is that the subject property was originally owned by one Vadivel Mudaliar and two others. The patta was also issued in their favour under the Enam Estate Abolition Act. The said Vadivel Mudaliar died leaving behind his wife and children and the father of the petitioner is the brother of the said Vadivel Mudaliar and he also had a share in the subject property. The other two sharers died issue-less and therefore, it is claimed that their interest in the property were succeeded by their respective husband. While so, the property was acquired under the Tamil Nadu Acquisition of Land for Industrial Purposes Act. The compensation was determined but however, an attempt was made to deprive the petitioner of the share in the compensation. Hence, the petitioner made a representation in this regard for referring it to the appropriate authority to apportion the compensation amount. Since the same was not considered, the present writ petition has been filed before this Court.



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4. Taking into consideration the facts and circumstances of the case and considering the nature of dispute between the parties, there shall be a direction to the petitioner to make a fresh representation before the 1st respondent under Section 9 of the Tamil Nadu Acquisition of Land for Industrial purposes Act. On such receipt of representation, the 1st respondent shall determine the apportionment of the compensation to be made in this case. If ultimately, the 1st respondent is not able to decide the same, he may thereafter refer the same to the decision of the Court.

5. This writ petition is disposed of with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

27-02-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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1. The District Collector

Thiruvallur District, Thiruvallur.

2. The Special District Revenue Officer

(Land Acquisition) , Manellore- Sipcot Project , Phase - III, Camp at Kavaraipt Village, Kilmudalambedu Post, Gummidipoondi Taluk, Thiruvallur District.

3. The Special Tahsildar (Land Acquisition)

Unit -II, Sipcot - Manellore (Phase- II), No.26, Samarapuri Nagar, Kavarapettai, Keelmudalambedu Post, Gummidipoondi Taluk, Thiruvallur District.



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N.ANAND VENKATESH J.

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