

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.11.2015

Coram

The Hon'ble Mr. Justice T.S. SIVAGNANAM

W.P. Nos.33675 of 2015 to 33677 of 2015
M.P.Nos. 1 of 2015

M/s.Bluenile Properties Limited
Rep by its Director
Sister W.Viyagammal ..Petitioner in W.P.No.33675 of 2015

The Society of Daughters of Marry
Immaculate and Collaborators
Rep by its authorised Signatory
Sister W.Viyagammal ..Petitioners in W.P.No.33676 and
33677 of 2015

Vs

1. The Secretary to Government
Industries Department,
Fort St.George, Secretariat,
Chennai.
2. The District Collector
Kancheepuram Collectorate Campus
Kancheepuram.
3. The Special Tahsildar(LA) Unit-I,
Mannur, Valarpuram, Nemili Scheme
No.14/41, Govindamedu Street,
Near Taluk Office,
Sriperumbudur 602 105 ..Respondents in all WPs

Prayer in W.P.No.33675 of 2015:- Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari and call for the entire records on the file of the second and third respondent pertaining to impugned order passed in RC.A.4/2014 dated 16.09.2015 based on G.O.Ms.No.98 Industries (SIPCOT-LA) Department dated 21.04.2015 calling upon the petitioner to surrender the lands measuring around 7.80 acres bearing survey No.497/1B and 497/2 situated in old Village No.109 and new Village No.50, Mannur Village, Sriperumbudur

Taluk, Kancheepuram District and quash the same as illegal and null and void.

Prayer in W.P.No.33676 of 2015:- Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari and call for the entire records on the file of the second and third respondent pertaining to impugned order passed in RC.A.4/2014 dated 16.09.2015 based on G.O.Ms.No.98 Industries (SIPCOT-LA) Department dated 21.04.2015 calling upon the petitioner to surrender the lands measuring around 5.40 acres bearing survey No.504/1, 504/2, 504/4, 504/6 and 500/2, situated in old Village No.109 and new Village No.50, Mannur Village, Sriperumbudur Taluk, Kancheepuram District and quash the same as illegal and null and void.

Prayer in W.P.No.33677 of 2015:- Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari and call for the entire records on the file of the second and third respondent pertaining to impugned order passed in RC.A.4/2014 dated 16.09.2015 based on G.O.Ms.No.98 Industries (SIPCOT-LA) Department dated 21.04.2015 calling upon the petitioner to surrender the lands measuring around 11.88 acres bearing survey No.504/3, 504/5, 504/8, 505/1, 505/2, 499 and 504/7 situated in old Village No.109 and new Village No.50, Mannur Village, Sriperumbudur Taluk, Kancheepuram District and quash the same as illegal and null and void.

For petitioners ... Mr.Adinarayana Rao
in all WPs

For Respondents 1 to 3 ... Mr.S.Diwakar,
in all WPs Additional Government Pleader

O R D E R

The petitioners in these Writ Petitions have challenged the notices issued under Rule 9 of the Tamil Nadu Land Acquisition of land for Industrial Purposes Act, 1997, which is a statutory form in Form-E. By virtue of which the petitioners have been directed to surrender and deliver possession of the lands to the Special Tahsildar (LA), third respondent herein.

2. The learned counsel for the petitioners advanced several arguments which are all challenge to the acquisition proceedings. It is fairly admitted that the acquisition proceedings was done by the Government, pursuant to the notification vide G.O.Ms.No.98 Industries (SIPCOT-LA) Department dated 21.4.2015. Therefore, if the petitioners are aggrieved by the acquisition proceedings, the challenge should

be to the notification and the contentions raised by the petitioners cannot be examined in these Writ Petitions, wherein the challenge is restricted only to a notice issued in Form-E. Faced with this situation, the learned counsel seeks permission to withdraw these Writ Petitions with liberty to challenge the notifications as well as to implead proper and necessary persons by filing fresh Writ Petitions.

3. In the light of the above, the Writ Petitions are dismissed as withdrawn. Liberty sought for is granted. No costs. Connected Miscellaneous Petitions are closed.

-Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Government
Industries Department,
Fort St.George, Secretariat,
Chennai.
2. The District Collector
Kancheepuram Collectorate Campus
Kancheepuram.
3. The Special Tahsildar(LA) Unit-I,
Mannur, Valarpuram, Nemili Scheme
No.14/41, Govindamedu Street,
Near Taluk Office,
Sriperumbudur 602 105

+3 cc to Mr.Adinarayana Rao vide sr.61530,
61531,61532,
+1 cc to Government Pleader sr.60737

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aa23/11/2015