

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2018

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.4321 of 2017
and
W.M.P.No.4511 of 2017

J.N.Srinivasan

... Petitioner

Versus

- 1.State of Tamil Nadu, rep. by its
Secretary to Government,
Industries Department,
Secretariat, Chennai-600 009.
- 2.District Collector,
Thiruvallur District,
Thiruvallur-602 001.
- 3.The Managing Director,
State Industries Promotion Corporation
of Tamil Nadu Limited, (SIPCOT),
18, Rukmani Lakshmipathi Salai,
Egmore, Chennai-600 008.
- 4.The Project Officer,
State Industries Promotion Corporation
of Tamil Nadu Limited, (SIPCOT),
Gummudipoondi -601 201,
Thiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's claim for allotment of Plot and allot the Plot No.A-12 (A) situated in Survey No.16 Industrial Estate, New Gummudipoondi to the petitioner by considering the representation dated 06.01.2017.

For Petitioner :: Mr.C.Selvaraj,Senior Counsel
For M/s.C.S.Associates

For Respondents :: Mr.R.S.Selvam, Government Advocate
for R1 & R2
Mr.R.Sudharshana sundar for R3 & R4

O R D E R

The grievance of the writ petitioner is that he was the land loser in respect of the acquisition proceedings initiated by the Government in order to establish SIPCOT in Gummudipoondi area.

2.Pursuant to the acquisition, an Industrial Estate was commissioned by the competent authorities in that locality. However, the promise provided to the writ petitioner in respect of the allotment of an Industrial Plot has not been considered at all. A promise was given that the respondents would allot an Industrial Plot to the land losers in accordance with the terms and conditions stipulated in the guidelines. In spite of the benefit granted in the scheme, the same has not been extended to the writ petitioner for the reasons not known to him.

3.The learned senior counsel appearing on behalf of the writ petitioner, in this regard contended that the writ petitioner has lost vast extent of land on acquisition and therefore, he is entitled for the relief of allotment of an Industrial Plot in the SIPCOT under the category of land losers. In this regard, the petitioner submitted a representation to the respondents on 06.01.2017.

4.The learned counsel for the respondents seek time for counter and this Court is of an opinion that if the grievance of the writ petitioner is genuine in accordance with the guidelines issued in this regard for extending the benefit to the land losers, the same is to be considered in the light of such guidelines. Accordingly, the 3rd respondent is directed to consider the representation submitted by the writ petitioner on 06.01.2017 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petitioner is directed to enclose the copy of the representation to the respondents and all other relevant documents along with the orders passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
Industries Department,
Secretariat, Chennai-600 009.
2. District Collector,
Thiruvallur District,
Thiruvallur-602 001.
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4. The Project Officer,
State Industries Promotion Corporation
of Tamil Nadu Limited, (SIPCOT),
Gummudipoondi -601201,
Thiruvallur District.

+1cc to Mr.C.S.Associates, Advocate Sr.59004
+1cc to Mr.Sudarshana, Advocate Sr.59871
+1cc to the Government Pleader Sr.59288

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srg 14/09/2018