

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2018

Coram: The Honourable Mr. Justice N. SESHASAYEE

W.P.No.5505 of 2018

and

W.M.P.Nos.6792, 6793 & 6794 of 2018

1. S.Subramanian
2. G.Ramalingam
3. K.Periyasamy
4. Iniyathulla
5. S.Aboobakar
6. T.Senthilkumar
7. S.Varalakshmi
8. M.Arumugam
9. S.Vadamalai
10. T.Sivakumar

...Petitioners

Versus

1. The District Collector,
Villupuram District,
Villupuram.
2. The Special Tahsildar (L.A),
Southern Railways,
Kallakurichi,
Villupuram District.
3. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi,
Villupuram District.
4. The Tahsildar,
Chinnasalem Taluk,
Chinnasalem,
Villupuram District.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned notice in Na.Ka.B1/28217/2009 dated 03.03.2018 passed by the first respondent and quash the same, consequently direct the first respondent to communicate the decision taken on the respective objections submitted by the petitioners made to the notice issued under Section 3(2) of Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Tamil Nadu 10/1999) before proceeding with the process either under Section 7(2) and 7(3) of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu 10/1999).

For Petitioners : Mr.R.Neelakandan
for Mr.P.Rajavel

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

O R D E R

The learned counsel for the petitioners submitted that since the filing of the petition, it has come to the knowledge of the petitioners that the National Green Tribunal (NGT), Southern Zone, Chennai has passed an order in Application No.193 of 2013 (SZ) dated 07.08.2015, that the Railways shall not construct any Railway Station obstructing the water body, and at all times it should obtain Environmental Clearance and in the context of this said order, the petitioners are inclined to challenge the Notification issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. He therefore seeks the leave of this Court for withdrawing this Writ Petition and further leave to file a comprehensive petition on the present cause of action as well as one founded the order of National Green Tribunal Southern Zone, Chennai in Application No.193 of 2013 (SZ).

2. The Land Acquisition Authority is directed to defer the passing of any order or award either under Section 7(2) or Section 7(3) of the aforesaid Act, within a period of ten days from today (14.03.2018).

3. Accordingly, this Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrr

To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Special Tahsildar (L.A),
Southern Railways,
Kallakurichi,
Villupuram District.
3. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi,
Villupuram District.
4. The Tahsildar,
Chinnasalem Taluk,
Chinnasalem,
Villupuram District.

+2cc to Mr.P.Rajavel, Advocate, S.R.No.18984

W.P.No.5505 of 2018

RRK(15/03/2018)

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