



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.07.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18574 of 2004
and
WPMP.No.22146 of 2004

State Industries Promotion Corporation
of Tamil Nadu Limited (SIPCOT)
Represented by its Assistant General Manager (Law)
19-A, Rukmani Lakshmipathy Road Chennai-8. ..Petitioner

vs

1. Vijayakumar Goyal

2. G.N.Shraff

3. P.M. Guptha

4. Reeta Aluvalia

5. The Sub Collector
(Special Tahsildar Land Acquisition)
Hosur.

6. The Sub Judge,
Hosur Sub Court,
Hosur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified mandamus or any other appropriate writ or order in the nature of writ calling for the records relating to the proceedings of the 6th respondent Sub Judge Hosur dated 18.07.2001 made in LAOP No.77 of 1996 quash the same and direct the 6th respondent to proceed with the reference in accordance with law after impleading the petitioner as party.

For Petitioner : Mr.M. Devarah

For Respondents: Mr.M.Elumalai, Government Advocate for R5



O R D E R

Writ Petition is filed to call for the records relating to the proceedings of the 6th respondent Sub Judge Hosur dated 18.07.2001 made in LAOP No.77 of 1996 quash the same and direct the 6th respondent to proceed with the reference in accordance with law after impleading the petitioner as party.

2. The petitioner filed the Writ Petition challenging the order of LAOP on the file of the 6th respondent Sub Judge Hosur. However, the fact remains that the petitioner have remedy before the appropriate Civil Court under Section 54 of the Land Acquisition Act. Without filing the appeal before the Civil Court under Section 54 of the Land Acquisition Act, Writ Petition is filed under Article 226 of the Constitution of India. Accordingly, the Writ Petition is dismissed. However liberty is granted to the writ petitioner to work out the remedy in the manner known to law and also makes it clear that the period pending before this Court is excluded for the purpose of limitation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Sub Collector
(Special Tahsildar Land Acquisition)
Hosur.

2. The Sub Judge,
Hosur Sub Court,
Hosur.

3. State Industries Promotion Corporation
of Tamil Nadu Limited (SIPCOT)
Represented by its Assistant General Manager (Law)
19-A, Rukmani Lakshmipathy Road Chennai-8.

W.P.No.18574 of 2004
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BP(CO)
SSM(10/09/2019)