



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.06.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos. 23894 to 23897 of 2008

A.Natarajan

..Petitioner in  
WP.No.23894 of 2008

S.Arumuga Gounder

..Petitioner in  
WP.No.23895 of 2008

N.Indirani

..Petitioner in  
WP.No.23896 of 2008

N.Dhanasekaran

..Petitioner in  
WP.No.23897 of 2008

Vs.

1.The Secretary,  
Department of Industries,  
Government of Tamil Nadu,  
Fort St.George,  
Chennai-9.

2.The District Collector,  
Tiruvannamalai District,  
Tiruvannamalai.

3.The Special Tahsildar,  
(Land Acquisition),  
SIPCOT Extension Scheme,  
Cheyyar 604 407,  
Tiruvannamalai District.

.. Respondents in all WP.Nos.

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ Certiorari to call for the records pertaining to the impugned land acquisition notices in Form-A bearing Na.Ka.M1/30572/2008 dated 25.06.2008 on the file of the second respondent issued under Section 3(2)



of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) and quash the same as null and void.

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For Petitioners in all WP.Nos.: Mr.P.S.Rathnamani

For Respondents in all WP.Nos.: Mr.M.Elumalai,  
Government Advocate

#### C O M M O N O R D E R

Since the prayer in the above Writ Petitions are one and the same, they are clubbed together and a common order is passed.

2. The above Writ Petitions are filed for issuance of a writ of certiorari, calling for the records pertaining to the impugned land acquisition notices in Form-A bearing Na.Ka.M1/30572/2008 dated 25.06.2008 on the file of the 2<sup>nd</sup> respondent issued under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) and quash the same as null and void.

3. The case of the petitioners is that the petitioners are the owners of the agricultural lands in their respective Survey numbers in 102, Perumbulimedu Village, Vembakkam Panchayat Union, Cheyyar Taluk, Tiruvannamalai District. The petitioners have received notices in Form-A on 15.07.2008 via impugned proceedings dated 25.06.2008 from the 2<sup>nd</sup> respondent signed on their behalf by the 3<sup>rd</sup> respondent on 08.07.2008, informing that above mentioned lands are proposed to be acquired by the Government for Industrial purposes by invoking section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) and calling upon the petitioners to file their objections within 30 days of public notice. Immediately, thereafter the writ petitioners filed their preliminary objections by RPAD.

4. However, challenging the impugned order of the 2<sup>nd</sup> respondent, the petitioners have approached this Court with these writ petitions.

5. The learned counsel for the petitioners would submit that though the three notices are Show Cause Notices calling upon the land owners to file objections, after considering the objections, the competent authority has to pass orders in connection with section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999). He would further submit that a direction may be issued



to the competent authority to consider the petitioners objection in this regard, in accordance with law and pass appropriate orders.

6. The learned Government Advocate appearing for the respondents submitted that the impugned order was issued by the 2<sup>nd</sup> respondent by invoking Section 3(2) of the Act and the petitioners are entitled to file objection, if any, before the competent authority. The competent authority will consider such an objection and thereafter, issue directions in connection with the present cases. Three notices which are issued by the respondents are legally permissible and it is only a Show Cause Notice to the petitioners. The petitioners have raised their objections before the 2<sup>nd</sup> respondent/District Collector, which is pending for further adjudication.

7. In the above circumstances, the writ petitions stand dismissed, with a liberty to the petitioners to raise their objections before the respondents.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary,  
Department of Industries,  
Government of Tamil Nadu,  
Fort St.George,  
Chennai-9.

2.The District Collector,  
Tiruvannamalai District,  
Tiruvannamalai.



3.The Special Tahsildar,  
(Land Acquisition),  
SIPCOT Extension Scheme,  
Cheyyar 604 407,  
Tiruvannamalai District.

+1cc to the Government Pleader Sr.47570 & 47567

W.P.Nos. 23894 to 23897 of 2008

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srg 06/08/2019