

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 04.12.2018

DELIVERED ON : 21.01.2019

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.Nos.23536, 23537, 23550 to 23553 of 2012,

W.P.No.4888 of 2013,

W.P.Nos.7606, 7607, 15286 to 15295, 15410 to 15416, 15830 to 15834, 16034 to 16038, 16221 to 16225, 16339 to 16343, 16912 to 16917, 17178 to 17184, 17186 to 17191, 17448 to 17452, 17510, 17505 to 17509, 17516 to 17519, 17534 to 17540, 17562 to 17567, 17568 to 17572, 17573 to 17581, 17582 to 17590, 20784 to 20790 of 2016

and

W.M.P.Nos.6834 to 6837, 13342, 13344, 13346, 13348, 13350, 13352, 13354, 13356, 13358, 13340, 13432, 13434, 13436, 13438, 13440, 13442, 13430, 13735, 13737, 13739, 13741, 13743, 13853, 13855, 13857, 13859, 13861, 14005 to 14014, 14144, 14146, 14148, 14150, 14152, 14485 to 14496, 14613 to 14626, 14628 to 14639, 14916 to 14925, 14972, 14973, 14962 to 14971, 14976 to 14983, 15001 to 15014, 15025 to 15036, 15037 to 15046, 15047 to 15064, 15065 to 15082, 17814 to 17827 of 2016

1 R.CHINNATHURAI ... PETITIONER in WP No.23536 of 2012
1 M.PADMANABHAN ... PETITIONER in WP No.23537 of 2012
1 N.POOVATHAL ... PETITIONER in WP No.23550 of 2012
1 CHINNASADAYAPPAN ... PETITIONER in WP No.23551 of 2012
1 P.S.KATHIRVEL ... PETITIONER in WP No.23552 of 2012
1 CHELLAMMAL ... PETITIONER in WP No.23553 of 2012
1 G.NIRMAL SIVAKUMAR ... PETITIONER in WP No.4888 of 2013
1 R.MURUGASAMY ... PETITIONER in WP No.7606 of 2016
1 K.CHINNASAMY ... PETITIONER in WP No.7607 of 2016
1 P.KANDAN ... PETITIONER in WP No.15286 of 2016

1 K.V.GOVINDAN ... PETITIONER in WP No.15287 of 2016
1 N.PALANISAMY ... PETITIONER in WP No.15288 of 2016
1 N.PALANISAMY ... PETITIONER in WP No.15289 of 2016
1 R.CHINNANNAN ... PETITIONER in WP No.15290 of 2016
1 N.CHINNAPPA GOUNDER ... PETITIONER in WP No.15291 of 2016
1 P.NATESAN ... PETITIONER in WP No.15292 of 2016
1 P.VENKATACHALAM ... PETITIONER in WP No.15293 of 2016
1 A.GOVINDAN ... PETITIONER in WP No.15294 of 2016
1 N.CHITRA ... PETITIONER in WP No.15295 of 2016
1 R.MATHAIYAN ... PETITIONER in WP No.15410 of 2016
1 C.SENGOTTAIYAN ... PETITIONER in WP No.15411 of 2016
1 CHINNATHANGAM @ PALANIAMMAL ... PETITIONER in WP No.15412 of 2016
1 R.KRISHNAN ... PETITIONER in WP No.15413 of 2016
1 C.SAROJA ... PETITIONER in WP No.15414 of 2016
1 M.CHINNATHAMBI ... PETITIONER in WP No.15415 of 2016
1 M.SEENIVASAN ... PETITIONER in WP No.15416 of 2016
1 S.CHELLAMUTHU ... PETITIONER in WP No.15830 of 2016
1 V.CHINNUSAMY ... PETITIONER in WP No.15831 of 2016
1 P.PONNUSAMY ... PETITIONER in WP No.15832 of 2016
1 M.MUTHUSAMY ... PETITIONER in WP No.15833 of 2016
1 K.RAMALINGAM ... PETITIONER in WP No.15834 of 2016
1 N.CHELLAMUTHU ... PETITIONER in WP No.16034 of 2016
1 P.SENGOTTUVEL ... PETITIONER in WP No.16035 of 2016
1 S.RADHA ... PETITIONER in WP No.16036 of 2016
1 T.P.S.GANESH ... PETITIONER in WP No.16037 of 2016

1 P.MURUGAIYAN ... PETITIONER in WP No.16038 of 2016
1 S.MAYILSAMY ... PETITIONER in WP No.16221 of 2016
1 R.PALANISAMY ... PETITIONER in WP No.16222 of 2016
1 K.MUTHUSAMY ... PETITIONER in WP No.16223 of 2016
1 R.VISWANATHAN ... PETITIONER in WP No.16224 of 2016
1 K.SUBRAMANIAM ... PETITIONER in WP No.16225 of 2016
1 P.MURUGAIYAN ... PETITIONER in WP No.16339 of 2016
1 K.NANDAKUMAR ... PETITIONER in WP No.16340 of 2016
1 N.NATESAN ... PETITIONER in WP No.16341 of 2016
1 P.PALANIAPPAN ... PETITIONER in WP No.16342 of 2016
1 R.KANDASAMY ... PETITIONER in WP No.16343 of 2016
1 A.SUNDARAM ... PETITIONER in WP No.16912 of 2016
1 A.ARUNACHALAM ... PETITIONER in WP No.16913 of 2016
1 P.THANGAMUTHU ... PETITIONER in WP No.16914 of 2016
1 M.SUBRAMANIAM ... PETITIONER in WP No.16915 of 2016
1 R.DHANASEKARAN ... PETITIONER in WP No.16916 of 2016
1 M.THANGARAJ ... PETITIONER in WP No.16917 of 2016
1 V.K.KANDASAMY ... PETITIONER in WP No.17178 of 2016
1 P.KANNAMMAL ... PETITIONER in WP No.17179 of 2016
1 C.NALLASIVAM ... PETITIONER in WP No.17180 of 2016
1 T.P.MURUGESAN ... PETITIONER in WP No.17181 of 2016
1 SHANTHAMANI ... PETITIONER in WP No.17182 of 2016
1 C.PALANISAMY ... PETITIONER in WP No.17183 of 2016
1 N.SENGOTTAIYAN ... PETITIONER in WP No.17184 of 2016
1 K.PALANISAMY ... PETITIONER in WP No.17186 of 2016
1 M.SRINIVASAN ... PETITIONER in WP No.17187 of 2016

1 K.N.SAKTHIVEL ... PETITIONER in WP No.17188 of 2016

1 MINOR MUTHUSAMY @ MUTHUSAMY ... PETITIONER in WP No.17189 of 2016

1 K.ANANDARAJA ... PETITIONER in WP No.17190 of 2016

1 C.MAARAPPA GOUNDER ... PETITIONER in WP No.17191 of 2016

1 S.R.KAILASH ... PETITIONER in WP No.17448 of 2016

1 T.SOMASUNDARAM ... PETITIONER in WP No.17449 of 2016

1 K.PALANISAMY ... PETITIONER in WP No.17450 of 2016

1 N.SARASWATHY ... PETITIONER in WP No.17451 of 2016

1 S.KATHIRVEL ... PETITIONER in WP No.17452 of 2016

1 S.SUNDARAJ ... PETITIONER in WP No.17510 of 2016

1 M.RAJESWARI ... PETITIONER in WP No.17505 of 2016

1 K.KRISHNAMOORTHY ... PETITIONER in WP No.17506 of 2016

1 K.CHINNASAMY ... PETITIONER in WP No.17507 of 2016

1 K.P.KARTHICK ... PETITIONER in WP No.17508 of 2016

1 S.C.THANGAVEL ... PETITIONER in WP No.17509 of 2016

1 S.V.NALLASAMI ... PETITIONER in WP No.17516 of 2016

1 C.MUTHUSAMY ... PETITIONER in WP No.17517 of 2016

1 M.POOSAPPAN ... PETITIONER in WP No.17518 of 2016

1 S.SHANMUGAM ... PETITIONER in WP No.17519 of 2016

1 A.MANOCHARAN ... PETITIONER in WP No.17534 of 2016

1 S.SUBRAMANIAM ... PETITIONER in WP No.17535 of 2016

1 A.THANGAVEL ... PETITIONER in WP No.17536 of 2016

1 P.SOMASUNDARAM ... PETITIONER in WP No.17537 of 2016

1 A.PARAMASIVAM ... PETITIONER in WP No.17538 of 2016

1 A.RAMASAMY ... PETITIONER in WP No.17539 of 2016

1 A.GUNASEKARAN ... PETITIONER in WP No.17540 of 2016
1 M.PARAMESWARAN ... PETITIONER in WP No.17562 of 2016
1 K.MUTHU GOUNDER ... PETITIONER in WP No.17563 of 2016
1 S.SUBRAMANI ... PETITIONER in WP No.17564 of 2016
1 M.PAAPAATHI ... PETITIONER in WP No.17565 of 2016
1 A.KANAGARAJ ... PETITIONER in WP No.17566 of 2016
1 A.CHANDRASEKARAN ... PETITIONER in WP No.17567 of 2016
1 A.THANGAVEL ... PETITIONER in WP No.17568 of 2016
1 V.THILAGAMANI ... PETITIONER in WP No.17569 of 2016
1 MUTHU NAICKER ... PETITIONER in WP No.17570 of 2016
1 S.PERIYASAMY ... PETITIONER in WP No.17571 of 2016
1 KARUPPANNASAMY ... PETITIONER in WP No.17572 of 2016
1 PALANISAMY ... PETITIONER in WP No.17573 of 2016
1 R.ARTHANAARISAMY ... PETITIONER in WP No.17574 of 2016
1 P.DHANAPAL ... PETITIONER in WP No.17575 of 2016
1 S.SUBRAMANI ... PETITIONER in WP No.17576 of 2016
1 S.SEKAR ... PETITIONER in WP No.17577 of 2016
1 PACHIANNAN ... PETITIONER in WP No.17578 of 2016
1 RAJAMMAL ... PETITIONER in WP No.17579 of 2016
1 SUDANDHIRAN ... PETITIONER in WP No.17580 of 2016
1 PERIYAAGOUNDER ... PETITIONER in WP No.17581 of 2016
1 M.SUBRAMANI ... PETITIONER in WP No.17582 of 2016
1 P.THANGAVELU ... PETITIONER in WP No.17583 of 2016
1 S.SAKTHIVEL ... PETITIONER in WP No.17584 of 2016
1 R.DHANABACKIAM ... PETITIONER in WP No.17585 of 2016

1 S.PALANISAMY ... PETITIONER in WP No.17586 of 2016
1 ATHAPPA GOUNDER ... PETITIONER in WP No.17587 of 2016
1 P.RAMASAMY GOUNDER ... PETITIONER in WP No.17588 of 2016
1 R.NALLAMMAL ... PETITIONER in WP No.17589 of 2016
1 M.SENGODA NADAR ... PETITIONER in WP No.17590 of 2016
1 S.ARUKKANI ... PETITIONER in WP No.20784 of 2016
1 P.MAYILSAMY ... PETITIONER in WP No.20785 of 2016
1 P.BOOPATHY ... PETITIONER in WP No.20786 of 2016
1 R.CHELLAMUTHU ... PETITIONER in WP No.20787 of 2016
1 P.ARUKKANI ... PETITIONER in WP No.20788 of 2016
1 S.SENGOTTUVEL ... PETITIONER in WP No.20789 of 2016
1 P.THANGAVEL ... PETITIONER in WP No.20790 of 2016

Vs.

1. The Secretary, Government of India
Ministry of Petroleum and Natural Gas
Shastri Bhavan, Newdelhi 110 001.
2. The Senior Manager(Law)
Gail (India)Ltd, Chennai Regional Officer
T. Nagar, Chennai 17.
3. The Competent Authority
Gail(India)Ltd, Hotel Salem Castle Campus
Swarnapuri, Salem 4.

..W.P.Nos. 4888/2013, 7606 &
7607/2016, 15286 to 15295/2016, 15410 to 15416/2016, 15830 to
15834/2016, 16034 to 16038/2016, 16221 to 16225/2016, 16339 to
16343/2016, 16912 to 16917/2016, 17178 to 17184/2016, 17186 to
17191/2016, 17448 to 17452/2016 & 17510/2016, 17534 to
17540/2016, 17573 to 17581/2016, 20784 to 20790/2016.

- 1.The Under Secretary,
Ministry of Petroleum Gas,
Sasthri Bhavan, New Delhi-110 011.

2.The Deputy Collector/Competent Authority,
GAIL India Limited,
Hotal Salem Castle Compound, Salem.

3. The Executive Director (Projects)
and Appellate Authority, Gas Authority of India Limited
Dr.Ashutosh, Karnataka,
16 Bhikatiji Road,
New Delhi-110 066.

... Respondents in W.P. 23536
& 23537/2012 & 23550 to 23553/2012

Prayer in W.P.No.23536 of 2012: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari Calling for the records pertaining to the Notification bearing S.O.No.486(E) dated 5.3.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Section 6 of the Act dated 20.4.2012 in S.O.No.865/E issued by the 1st respondent herein in respect of the lands of the petitioner in S.F.No.692 and 693/2 measuring 2.29.00 Ares and 0.43.00 Ares respectively in Okklipalayam, Ottakkal Mandapam Village, Coimbatore and quash the same.

WP No.23537 of 2012

Calling for the records pertaining to the Notification bearing S.O.No.486(E) dated 5.3.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Sec.6 of the Act dated 20.4.2012 in S.O.No.865/E issued by the 1st respondent herein, in respect of the lands of the petitioner in S.F.No.305 and 306, measuring 00.51.85 and 00.23.63 Ares respectively Chettipalayam Village, Coimbatore, quash the same

WP No.23550 of 2012

Calling for the records pertaining to the notification bearing S.O.No.688(E) dated 4.4.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Sec.6 of the Act dated 20/4/2012 in S.O.No.865/E issued by the 1st respondent herein, in respect of the lands of the petitioner in S.F.No.28/2 and 33/1A, measuring 0.16.0 Ares and 00.28.54 Ares respectively in Thirumalayampalayam Village, Coimbatore South, quash the same

WP No.23551 of 2012

Calling for the records pertaining to the notification bearing S.O.No.688(E) dated 4.4.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Sec.6 of the Act dated 20/4/2012 in S.O.No.865/E issued by the 1st respondent herein, in respect of the lands of the petitioner in S.F.No.336/3, 338/2, measuring a total extent of 5.51.00 Ares

respectively in Pichanur Village, Coimbatore, quash the same

WP No.23552 of 2012

Calling for the records pertaining to the notification bearing S.O.No.688(E) dated 4.4.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Sec.6 of the Act dated 20/4/2012 in S.O.No.865/E issued by the 1st respondent herein, in respect of the lands of the petitioner in S.F.No.80/4C, measuring 0.51.5 Ares in Pallathurai Village, Madhukarai, Madhura, Coimbatore, quash the same

WP No.23553 of 2012

Calling for the records pertaining to the notification bearing S.O.No.688(E) dated 4.4.2011 issued under Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines Act 1962 and Sec.6 of the Act dated 20/4/2012 in S.O.No.865/E issued by the 1st respondent herein, in respect of the lands of the petitioner in S.F.Nos. 24/9A, 9B, 8, 24/11A, 11B, 24/10A, 10B, 26/1A, 1B, 3A, 3B, 4, 5, 8, 9 of Pallathurai Village, approximately totalling 15 Acres S.F.No.37/1, 2A, 2B, Thirumalayam Palayam Village approximately totalling .75 Acres, quash the same

WP No.4888 of 2013

To call for the Records of the Impugned Notification under Section 6(1) of the above said Act, issued by the 1st Respondent in No.187 dated 02.02.2012, quash the same and consequently restraining the Respondents herein, their Men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the Petitioner herein of the land in S.F.No.107/2 in Nachipalayam Village, Tiruppur District, in any manner

WP No.7606 of 2016

To call for the records of the impugned Notification under Section 6(1) of the above said Act, issued by the 1st Respondent in No.S.O.212(E) dated 02.02.2012 quash the same, and consequently direct the Respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F.No.516/1C and Patta number is 1469 situated at Kalinathampalayam, Karipudur Village, Palladam Division, Tirupur District in any manner.

WP No.7607 of 2016

Call for the records of the Impugned Notification under Section 6(1) of the above said Act, issued by the 1st Respondent in No.S.O.212(E) dated 02.02.2012 quash the same, and consequently direct the Respondents herein, their Men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the Petitioner herein of the land in S.F.No.647 and Patta number is 1311 situated at Kalinathampalayam, Karipudur Village, Palladam Division, Tirupur District, in any manner

WP No.15286 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No. 12/1C and Patta Number is 250 situated at Kandasamy Koil, Marakkottai Village, Omalur Division, Salem District, in any manner

WP No.15287 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No. 74/11 and Patta Number is 688 situated at Marakkottai Village, Omalur Division, Salem District, in any manner

WP No.15288 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No. 180/2 and Patta Number is 574 situated at Karukkalvadi Village, Omalur Division, Salem District, in any manner

WP No.15289 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No. 145/1H4, 145/3B and Patta Number is 883 situated at Muthunayakanpatti Village, Omalur Division, Salem District, in any manner

WP No.15290 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the

possession and enjoyment of the petitioner herein of the land in S.F. No.91/2B and Patta Number is 367 situated at Omalur Village, Omalur Division, Salem District, in any manner

WP No.15291 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.179/2H and Patta Number is 299 situated at Karukalvadi Village, Omalur Division, Salem District, in any manner

WP No.15292 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.179/2J and Patta Number is 908 situated at Karukalvadi Village, Omalur Division, Salem District, in any manner

WP No.15293 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.91/2F, 92/2, 93/1A3 and Patta Number is 2497 situated at Velagoundanoor, Omalur Village, Omalur Division, Salem District, in any manner

WP No.15294 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.308/1E and Patta Number is 476 situated at Kanjanayakanpatti Village, Omalur Division, Salem District, in any manner

WP No.15295 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men,

servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.146/1A and Patta Number is 552 situated at Kandhambichanoor, Muthunaikkanpatti Village, Omalur Division, Salem District, in any manner

WP No.15410 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No. 38/6E/1 and Patta Number is 860 situated at Santhanoor Kaatuvalavu, Marakkottai Village, Omalur Division, Salem District, in any manner

WP No.15411 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.174/3F and Patta Number is 458 situated at Krishnamputhur, Karukkalvadi Village, Omalur Division, Salem District, in any manner

WP No.15412 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.174/3D and Patta Number is 758 situated at Krishnamputhur, Karukkalvadi Village, Omalur Division, Salem District, in any manner

WP No.15413 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.174/3E and Patta Number is 225 situated at Karukkalvadi Village, Omalur Division, Salem District, in any manner

WP No.15414 of 2016

to call for the records of the Impugned Notification Under

Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.179/21 and Patta Number is 192 situated at Krishnamputhur, Karukkalvadi Village, Omalur Division, Salem District, in any manner

WP No.15415 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.17/5 and Patta Number is 1757 situated at Marakottai Village, Omalur Division, Salem District, in any manner

WP No.15416 of 2016

to call for the records of the Impugned Notification Under Section 6 (1) of the above said Act, issued by the 1st respondent in No.212 (E) dt 2.2.2012 quash the same, and consequently forbearing the respondents herein, their men, servants, subordinates and agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F. No.206/2C and Patta Number is 2037 situated at Ellayoor, Muthunaikanpatti Village, Omalur Division, Salem District, in any manner

WP No.15830 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.207/6 at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.15831 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.271/1A at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.15832 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum

Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.203/2 at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.15833 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.207/5 at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.15834 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.22/2C at Kokkarayanpettai Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16034 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.300/1 at Thokkavadi Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16035 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.8/6 and S.No.8/5 at Varagurampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16036 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.Nos.32/1, 32/2, 32/3 and 33/7B at Varagurampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16037 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.Nos. 242/4B, 228/1 and 228/2 at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16038 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.227/1 at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District and quash the same

WP No.16221 of 2016

To call for the records of the impugned Notification under section 6(1) of the above said act, issued by the 1st respondent in S.O.No.212(E) dated 02.02.2012 quash the same, and consequently forbearing the respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in respect of the petitioner land in S.F.No. 584/2 in Akkanampalayam, Karaipudhur Village, Tiruppur District in any manner

WP No.16222 of 2016

To call for the records of the impugned Notification under section 6(1) of the above said act, issued by the 1st respondent in S.O.No.212(E) dated 02.02.2012 quash the same, and consequently forbearing the respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in respect of the petitioner land in S.F.No. 645/1 in Akkanampalayam, Karaipudhur Village, Tiruppur District in any manner

WP No.16223 of 2016

To call for the records of the impugned Notification under section 6(1) of the above said act, issued by the 1st respondent in S.O.No.212(E) dated 02.02.2012 quash the same, and consequently forbearing the respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in respect of the petitioner land in S.F.No. 605/1E & 605/4C in Akkanampalayam, Karaipudhur Village, Tiruppur District in any

manner.

WP No.16224 of 2016

To call for the records of the impugned Notification under section 6(1) of the above said act, issued by the 1st respondent in S.O.No.212(E) dated 02.02.2012 quash the same, and consequently forbearing the respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in S.F.No. 509/4 in Akkanampalayam, Karaipudhur Village, Tiruppur District in any manner

WP No.16225 of 2016

To call for the records of the impugned Notification under section 6(1) of the above said act, issued by the 1st respondent in S.O.No.212(E) dated 02.02.2012 quash the same, and consequently forbearing the respondents herein, their men, Servants, Subordinates and Agents from interfering with the possession and enjoyment of the petitioner herein of the land in respect of the petitioner land in S.F.No. 606/2 in Akkanampalayam, Karaipudhur Village, Tiruppur District in any manner

WP No.16339 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.227/2 and 227/9 at Karuveppampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.16340 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.106/3 and 106/5 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.16341 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.8/4 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.16342 of 2016

Calling for the entire records with regard to the Notification

issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.No.161 at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.16343 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.No.170/1 at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.16912 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.206 at Karuveppampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.16913 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.206 at Karuveppampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.16914 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.206 at Karuveppampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.16915 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.226/24 at Paapampalayam Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.16916 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.106/2B2 at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.16917 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners Land in S.No.297/4 at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17178 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No. 25/1B1 at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17179 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No. 162/3C at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17180 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners lands in S.No. 96/1 and 25/1A at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17181 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the

Petitioners lands in S.No. 42/2D at Kkokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17182 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners lands in S.No. 221/7 at Karuveppampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17183 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners lands in S.No.182/2 at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17184 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625 (E) dated 24.11.2011, in respect of the Petitioners lands in S.No.39/2 at Kokkarayan Pettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17186 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 13 and 108/2 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17187 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 118/2 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17188 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum

Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 118/2 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17189 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 112 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Naakkal District and quash the same

WP No.17190 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 112 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Naakkal District and quash the same

WP No.17191 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625(E) dated 24.11.2011, in respect of the petitioner land in S.No. 137/4A2 at Kokkarayan Pettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17448 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.482/2 total extend of 0.60 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17449 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.482/2, 484/4 total extend of 1.80 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17450 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.494/1 total extend of 2.96 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17451 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.480/1 total extend of 0.939 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17452 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.231/5 total extend of 1.80 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17510 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.494/3 total extend of 1.60 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District and quash the same.

WP No.17505 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O. 2865(E) dated 27-12-2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioner land in S.F.No. 43/2 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17506 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O. 2865(E) dated 27-12-2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in

respect of the petitioner land in S.F.No. 24/3, 24/4 and 25/2 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17507 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O. 2865(E) dated 27-12-2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioner land in S.F.No. 24/3 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17508 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O. 2865(E) dated 27-12-2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioner land in S.F.No. 201/2, 201/3 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17509 of 2016

To call for the records of the Impugned Notification issued by the 1st respondent in S.O. 2865(E) dated 27-12-2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioner land in S.F.No. 201/4, 203/3, 203/6 and 225/5 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17516 of 2016

To call for the records of the impugned notification issued by the 1st respondent in S.O.2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioners land in S.F.No.45/5 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17517 of 2016

To call for the records of the impugned notification issued by the 1st respondent in S.O.2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioners land in S.F.No.44/5A, 44/5B situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17518 of 2016

To call for the records of the impugned notification issued by the 1st respondent in S.O.2865(E) dated 27.12.2011 in accordance

with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioners land in S.F.No.225/4 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17519 of 2016

To call for the records of the impugned notification issued by the 1st respondent in S.O.2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of Users in Land) Act, 1962 in respect of the petitioners land in S.F.No.202/2, 202/3 situated at Aval Poondurai A Village, Modakkurichi Taluk, Erode District and quash the same

WP No.17534 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/2, 495/4C, 495/4F, total extend of 3.45 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17535 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.226/7 total extend of 1.70 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17536 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/4C and 495/4F, total extend of 3.20 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17537 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/4B and 495/4E total extend of 1.50 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17538 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/4C, 495/4F total extend of 1.90 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17539 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/2, 495/4C, 495/4F, 495/4A total extend of 1.70 acres situated at Modavandi, Sathyamangalam Village, Erode Division, Erode District, and quash the same

WP No.17540 of 2016

To call for the records of the impugned Notification issued by the 1st respondent in S.O.No. 2865(E) dated 27.12.2011 in accordance with the provisions of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in respect of the petitioner land in S.F.No.495/4C, 495/4F total extend of 2.695 acres situated at Modavandi Sathyamangalam Village, Erode Division, Erode District, and quash the same.

WP No.17562 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.299/1 situated at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17563 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.200/2 situated at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17564 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.299/5B2 situated at Karuveppampatti

Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17565 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.No.286/2B2 situated at Karuveppampatti Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17566 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.Nos.89/A, 96/1 and 97/1 situated at Kokkarayanpettai Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17567 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of petitioner land in S.Nos.89/1A situated at Kokkarayanpettai Revenue Village, Thiruchengode Taluk in Namakkal District

WP No.17568 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners land in S.No.153/2 situated at Thokkavadi Coundampalayam, Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17569 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners land in S.Nos.9/3A, 9/2B, 9/3E, 9/3F and 6/2A situated at Emappalli Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17570 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners land in S.No.16 at Emappalli Revenue Village,

Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17571 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners land in S.No.41/1B at Emappalli Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17572 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioners land in S.No.41/1A at Emappalli Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.17573 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.16 at Emappalli Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17574 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.303/1 and 288 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17575 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No. 302 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17576 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.302 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the

same.

WP No.17577 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.297/4 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17578 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.290/2 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17579 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.286 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17580 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.292/2 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17581 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the Petitioners land in S.No.285/2 situated at Thokkavadi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17582 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land)

Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.39/1, 39/2 and 39/3 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17583 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.129/3A and 129/4 at Devanankurichi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17584 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.211/7 and 207/5B at Devanankurichi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17585 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.217/10 and 218/1 at Devanankurichi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17586 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.207/5A, 211/6B, 211/8 and 207/4B at Devanankurichi Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17587 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.155/1A at Thokkavadi Coundampalayam Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17588 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.No.11/2A and 11/2C at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17589 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.Nos.41, 96/1 and 97/1 in Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.17590 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O.2625(E) dated 24.11.2011, in respect of the petitioner land in S.No.22/2D at Kokkarayanpettai Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.20784 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioner land in S.No. 36/2 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.20785 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioner land in S.No. 33/3 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.20786 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioner land in S.No. 33/3 at Varagurampatti Revenue Village,

Thiruchengodu Taluk in Namakkal District and quash the same

WP No.20787 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioner land in S.No. 33/5A and 33/8A at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.20788 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under Section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioner land in S.No. 33/7A at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same

WP No.20789 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioners land in S.No. 35 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

WP No.20790 of 2016

Calling for the entire records with regard to the Notification issued by the 1st respondent under section 6(1) of Petroleum Minerals and Pipelines (Acquisition of Right of User in Land) Act, 1962 in S.O. 2625 (E) dated 24.11.2011, in respect of the petitioners land in S.No. 33/3 at Varagurampatti Revenue Village, Thiruchengodu Taluk in Namakkal District and quash the same.

For Petitioners

W.P.Nos.23536, 23537,
23550 to 23553 of 2012

: Mr.C.R.Prasanan

W.P.Nos.4888 of 2013,
7606, 7607 of 2016

: Mr.Lakshmi Narayanan
for Mr.M.Easan

W.P.Nos.15286 to 15295 of 2016

and 15410 to 15416 of 2016

: Mr.K.S.M.Vimalkanth

W.P.Nos.15830 to 15834,

16034 to 16038,

16339 to 16346,

16912 to 16917,

17178 to 17184,

17186 to 17191,
17562 to 17590

and 20784 to 20790 :Mr.P.Nethaji&
Mrs.P.Rajarajeswari

W.P.Nos.16221 to 16225 of 2016 : Mr.T.L.Thirumalaisamy

W.P.Nos.17505 to 17509,
17516 to 17519 of 2016 : Mr.C.E.Pratap

W.P.Nos.17448 to 17452,
17510,
17543 to 17540 of 2016 : Mr.S.Dhanasekaran

For Respondents:

W.P.Nos.23536/2012
W.P. No.23537/2012
and W.P. No.23550 to 23552 of 2012,
and 23553 of 2012 : Mrs.G.Rajagopal, ASG R1
in all W.Ps.
assisted by
Mr.K.Srinivasamurthy, SPC
& Mr.N.Rajan, (CGSC) for R1

W.P.No.4888 of 2013 : Mr.B.Rabu Manohar (CGSC)
for R1

W.P.No.7606 & 7607/2016.
W.P.No.15286/2016
W.P.No.16221 to 16225/2016
W.P.No.15290/2016
to W.P.No.15295/2016 : Mr.T.L.Thirumalaisamy
(CGSC) for R1

W.P.Nos.15287 to 15289 of 2016: Mr.J.Madhanagopal Rao
(CGSC)

W.P.Nos.15410 to 15416 of 2016: Mr.T.S.N.Prabhakaran
(CGSC)

W.P.Nos.17448/2016 to
17452/2016,17505/2016 to
17509/2016 : Mrs.Swarnalatha (CGSC)
for R1

W.P.No.16912/2016
to W.P.No.16917/2016 : Mrs.Swarnalatha (CGSC)
for R1

W.P.No.17178/2016
to W.P.No.17184/2016
& W.P.No.17186/2016
W.P.No.17191/2016

: Mrs.Swarnalatha (CGSC)
for R1

W.P.No.17516/2016
to W.P.No.17519/2016
W.P.No.17534/2016 to
W.P.No.17536/2016,
W.P.No.17539/2016
W.P.No.17540/2016
W.P.No.17562/2016 to
W.P.No.17590/2016

: Mrs.Swarnalatha (CGSC)
for R1

W.P.Nos.15830/2016
to W.P.No.15834/2016

:Mr.K.Srinivasamurthy (CGSC)
for R1

W.P.No.20784/2016
to W.P.No.20790/2016

:Mr.K.Srinivasamurthy (CGSC)
for R1

W.P.No.16034/2016 to
W.P.No.16038/2016

: Mr.G.Baskaran (CGSC) for R1

W.P.No.16339/2016

to W.P.No.16443/2016: Mr.P. Saravanan (CGSC)
for R1

W.P.No.17510/2016

W.P.No.17537/2016

& W.P.No.17538/2016

W.P.No.20784/2016

to W.P.No.20790/2016: Mrs.G.Hema (CGSC) for R1

2nd Respondent in all W.Ps.: Mr.Ajmal Khan,
Senior Counsel

for M/s.Ajmal Associates
Mr.Abrar Mohammed Abdullah

3rd Respondent in all W.Ps : Mr.N.Venkatesh and
Mrs.N.Vasanthi

COMMON ORDER

M.SATHYANARAYANAN, J.

In these writ petitions challenge is made to the Notification in S.O.2625(E) dated 24.11.2011 issued by the first respondent, namely the Government of India, represented by its Secretary, Ministry of Petroleum and Natural Gas, New Delhi-110 001, under Section 6(1) of the Petroleum and Minerals Pipelines [Acquisition of Right of User in Land] Act, 1962 [in short "Right of User Act"]. The grounds urged and the issues to be decided in all these writ petitions are one and the same and therefore, all the writ petitions are disposed of by this common order.

2. Facts leading to the present round of litigation have been narrated in detail and in extenso in the judgment dated 04.10.2012 made in W.A.No.1666 of 2012 [Gail India Limited v. The State of Tamil Nadu, Rep. By its Secretary to Government, Home Department and 19 others] and in the common order dated 25.11.2013 made in W.P.Nos.12897 and 15102 of 2013 and W.P.(MD). No.9542 of 2013 [Gail India Limited v. The State of Tamil Nadu, Rep. By its Chief Secretary to Government and 34 others] and therefore, it is unnecessary to restate the facts once again except to cull out certain relevant facts for the purpose of disposing of these writ petitions.

2.1. Gas Authority of India Limited [GAIL] formulated a project, namely "Kochi-Kootanad-Mangalore-Bangalore Pipeline Project" for the purpose of laying pipelines beneath the earth and transport gas through it to the needy industries and also for other important purposes. GAIL, for that purpose, had acquired right of user in lands as per the Right of User Act, 1962 in the Districts of Salem, Coimbatore, Krishnagiri, Dharmapuri, Namakkal, Erode and Tiruppur and it is their stand that the said project is of national importance and to be undertaken and completed in a time bound manner.

2.2. The above said project covers a total distance of more than 1100 kms through which, underground pipelines will be laid for transmission of natural gas and the respective State Governments had also formed High Power Monitoring Committees for speedy execution of the project as it would immensely help the State which are experiencing grave power crisis.

2.3. The State of Tamil Nadu, in it's part, had initially agreed to the said project and the Central Government, vide Notification dated 04.04.2011, had notified the lands intended to be covered for taking the gas through pipelines and since most of the lands identified are agricultural lands, objections

came to be raised. The Government of India had issued series of notifications under Section 6 of the said Act declaring the right of user in the said lands for the purpose of laying pipelines and the notifications would also indicate that their rights are free from all encumbrances.

2.4. Law and Order problem also arose and the contractors/workers employed by GAIL to undertake the said project were also prevented. Therefore, GAIL had filed W.P.No.17216 of 2012, praying for issuance of a Writ of Mandamus directing the respondents viz., Secretary to Government of Tamil Nadu, Home Department, Superintendents of Police of Coimbatore, Tiruppur, Salem, Namakkal, Erode, Dharmapuri and Krishnagiri Districts to provide adequate police protection to the officials, labourers, machinery and pipelines installed by GAIL in the subject matter of lands notified. The said writ petition came to be dismissed, vide order dated 26.07.2012 and it is relevant to extract paragraph Nos.19 and 20 of the said order:

"19. The writ in the nature of mandamus can only be issued when the petitioner is able to cite any cognizable offence is being committed by identified persons. If inspite of making such complaints, the local police are not willing to take an appropriate action in terms of the Cr.P.C. or any relevant laws, thereafter, the State Government will have to be approached for granting necessary directions. But, in the present case, the petitioner immediately after the high power committee meeting, for which the minutes was circulated on 03.07.2012 and even before the minutes could be circulated, had rushed to this court for an omnibus relief without providing necessary ingredients for the exercise of power by this court. This court do not think that the State Government had been a mute spectator or the State Government is an unwilling party for the petitioner laying down their pipelines. On the other hand, the State Government is seized of the ground realities and are in complete touch with the District Collectors. They have also given them advice as to how the farmers can be satisfied in implementing the mega project like the petitioner's project.

20. In the light of the above, this court is not inclined to issue any order which can obstruct the decision taken by the State Government in this regard. It is well open to the petitioner to complain to the State Government about any specific instance of obstruction in any village. There is time enough for the first respondent to consider the nature of action to be initiated in such matters. Under these

circumstances, there is no case made out to entertain the writ petition. Hence the writ petition will stand dismissed. No costs. Consequently connected miscellaneous petition stands closed."

2.5. GAIL, aggrieved by the dismissal of the said writ petition, filed W.A.No.1666 of 2012, which was entertained and notices were ordered. The State Government has filed a counter affidavit in the said writ appeal wherein they took a stand that they are fully aware of the fact that the project is of national importance and the District Collectors concerned were instructed to talk to the affected parties and advise them about the benefits of the project to the State Government and also to take appropriate action to ensure law and order in the districts and facilitate laying of the gas pipelines, so as to ensure completion of the project within the stipulated time and periodical meetings were also held to pacify the agitators.

2.6. A Division Bench of this Court [Hon'ble Mr.Justice M.Y.Eqbal, as the Chief Justice then was and Hon'ble Mr.Justice T.S.Sivagnanam], vide judgment dated 04.10.2012, held that though the order passed in the writ petition calls for no interference, thought fit to observe that a workable solution has to be arrived at so as to complete the project which is of national importance and in public interest, for which purpose issued certain directions in paragraph No.13 and it is relevant to extract the same:

"13....(i) The Chief Secretary to the Government of Tamil Nadu along with their officials shall convene a meeting for each of the seven districts. In such meeting the District Collector, the officials of the appellant and the land owners shall be invited for discussion and the procedure normally adopted in public hearing could be followed and the grievances expressed by the land owners and the appellant could be placed without any reservations and thereafter, the State Government shall take a decision to facilitate the laying of gas pipeline.

(ii) It is needless to state that the land owners should also bear in mind that the project is of national importance and in public interest and therefore, they should endeavour to make the project successful, so that it would be completed within the scheduled time.

(iii) The suggestions given by the land owners proposing an alternate route may be discussed in such meetings. The proposed alignment of the pipeline for each districts shall be prominently displayed in the

meeting, if any land owner makes a request for explanation with special reference to his land, the same shall be done by the appellant for which purpose, the District Revenue Officials shall extend full co-operation.

(iv) We hope and trust that if such a meeting/hearing is given for each of the Districts separately, an amicable solution would be arrived to pave way for the smooth implementation of the project.

The said writ appeal came to be disposed of with the above directions.

2.7. After the disposal of the writ appeal, meetings were held by the District Collectors concerned with the landowners and thereafter, the Secretary to the Government of Tamil Nadu, Revenue Department has issued G.O.Ms.No.159 dated 28.03.2013, transferring the Competent Authority which was appointed for the purpose of acquiring right of user and for determination and disbursement of compensation and thereafter, sent a letter dated 02.04.2013 directing the GAIL to do the following acts:

"(1) take steps for laying pipeline along the National Highways without affecting the agricultural lands of the farmers of Tamil Nadu.

(2) to take steps for laying pipeline alongside of the National Highways and take necessary steps for supplying LNG to the Tamil Nadu.

(3) to immediately give up the present project of laying Gas pipeline through agricultural lands.

(4) to immediately close all the existing trenches excavated for laying pipeline and to hand over the lands its original condition to the farmers/landowners.

(5) to immediately remove the pipes already laid so as to enable the farmers to continue their agricultural activities.

(6) Farmers who have lost their fruit bearing trees or other structures but not yet compensated by GAIL so far should be immediately compensated by GAIL.

2.8. GAIL, on receipt of the communication dated 02.04.2013,

has submitted a detailed representation dated 04.04.2013 to the Hon'ble Chief Minister of Tamil Nadu, requesting for reconsideration of the said decision so as to enable GAIL to resume the gas pipeline work. However, the District Collectors concerned, acting on the said communication, directed GAIL to remove the pipelines already laid and therefore, they made a challenge to the said Government Order as well as the communication by filing W.P.No.12897 of 2013. One Mr.K.Shyam Sunder had filed W.P.No.15102 of 2013, praying for issuance of a Writ of Mandamus directing the second respondent/GAIL to execute the above said project in a time bound manner and similarly, one Mr.S.Thamizharasan had filed W.P.(MD).No.9542 of 2013 on the file of the Madurai Bench of this Court praying for similar relief.

2.9. All the writ petitions were entertained and W.P.(MD) No.9542 of 2013 was transferred to the file of the Principal Bench and they were taken up together for final disposal. The First Bench of this Court [The Hon'ble Mr.Justice Mr.R.K.Agrawal, as the Chief Justice then was and M.Sathyanarayanan, J.] had allowed W.P.No.12897 of 2013 filed by GAIL and in the light of the fact that the said writ petition came to be allowed, felt that no further orders are necessary and therefore, closed W.P.No.15102 of 2013 and W.P.(MD)No.9542 of 2013.

2.10. The State of Tamil Nadu, aggrieved by the allowing of W.P.No.12897 of 2013 filed by GAIL, had preferred SLP.(C). Nos.37224 - 37226 of 2013 and the said SLPs were entertained and converted as Civil Appeal Nos.759 - 761 of 2016 and those civil appeals along with Civil Appeal Nos.762 and 763 of 2016 and T.P. (C)No.228 of 2014 were disposed of by a common judgment dated 02.02.2016. The Hon'ble Supreme Court had disposed of all the Civil Appeals by taking into consideration the submission made on behalf of GAIL that the market value could be determined as on 01.01.2016 in order to avoid any prejudice to the landowners and therefore, permitted the State Government to stipulate the circle rates/guideline value/market value for the purpose of determination of compensation payable towards acquisition of Right of User of the aforesaid land owners as on 01.01.2016 and it shall become the basis for the determination of the compensation payable to the landowners at the hands of the Competent Authority. It was further observed that once that amount is calculated and determined by the Competent Authority, the landowners shall be entitled to an additional 30% of the amount so determined towards compensation and if anyone, who is not satisfied with the amount so determined and paid, shall be free to seek a reference to the District Court for determination of the true market value of the land in which the right to user has been acquired by the Government by getting a reference made under Section 10(2) of the Right of User Act. The counsel, who appeared for the Intervenor in the said Civil Appeals, sought

leave to withdraw the applications for intervention reserving liberty to seek redress in appropriate proceedings before the appropriate Court and accordingly, the intervening applications were dismissed as withdrawn with liberty as prayed for. T.P.(C) No.228 of 2014, which was filed for transferring W.P.No.23553 of 2012 pending before this Court, was also dismissed. The common judgment, disposing of the Civil Appeal Nos.759-761 of 2016 and dismissing T.P.(C)No.228 of 2014, came to be passed on 02.02.2016.

2.11. The Government of Tamil Nadu and Others had filed Review Petition (Civil) Nos.1532 - 1534 of 2016 to review the order dated 02.02.2016 made in Civil Appeal Nos.759 - 761 of 2016 and all the review petitions were dismissed by the Hon'ble Supreme Court, vide order dated 01.03.2016.

2.12. The effect of the above said common order of the Hon'ble Supreme Court is that the acquisition of right of user by GAIL has been upheld and in the light of the concession made by GAIL before the Hon'ble Supreme Court of their willingness to pay enhanced compensation, the compensation payable was ordered to be paid granting liberty to the landowners to seek a reference for determination of the true market value of the land, if they are not satisfied with the compensation so determined and the intervenors were granted liberty to seek redress in appropriate proceedings before the appropriate Court.

2.13. It is also to be noted at this juncture that the prayer sought for to transfer W.P.No.23553 of 2012 in T.P.(C) No.228 of 2014 came to be dismissed by the Hon'ble Apex Court in the above said common order and it is also one of the cases to be decided in the present round of litigation.

3. Mr.V.Lakshmi Narayanan, learned counsel representing Mr.M.Easan, learned counsel appearing for some of the writ petitioners made the following submissions:

- (i) Petroleum and Natural Gas Regulatory Board, vide communication dated 31.05.012, recognised GAIL as common carrier pipeline network under Regulation 17(1) of the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand Natural Gas Pipelines) Regulations, 2008 and as per Part-B of the said notification, the route of "Kochi-Koottanad-Bangalore-Mangalore Natural Gas Pipeline project" shall be through the districts of Ernakulam, Thrissur, Palakkad, Mallapuram, Kozhikode, Kannur and Kasargod in the State of Kerala and in the districts of Coimbatore, Erode, Salem and Dharmapuri in the Sate of Tamil Nadu and admittedly, Namakkal,

Tiruppur and Krishnagiri Districts have not been included and therefore, GAIL cannot acquire right of user of the lands in the said districts, as the same is in deviation of the above said communication dated 31.05.2012.

- (ii) Despite allowing of W.P.No.12897 of 2013 filed by GAIL and as confirmed by the Hon'ble Apex Court in Civil Appeal Nos.759 - 761 of 2016 etc., with a direction to determine the compensation in terms of the concession shown by GAIL, still it is open to the writ petitioners/landowners to make a challenge, especially as to the non-adherence of the provisions of the relevant Act and Rules framed thereunder.
- (iii) Section 3(2) of the Right of User Act, 1962 have not been complied with for the reason that the name of the landowners, Survey Numbers and description of the lands, right of user, specific portion/extent of lands have not been indicated and the directions issued in the judgment dated 04.10.2012 in W.A.No.1666 of 2012 have not been complied with in letter and spirit.
- (iv) Rule 3(3) of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Rules, 1963 contemplates every notification under Section 3(1) of the said Act shall be served in the manner laid down in Rule 8 on every person who has been shown in the relevant revenue records as the owner of the land on the date of publication of the notification under sub-rule (1) or who, in the opinion of the Competent Authority is the owner of or interested in such land. Rule 8 speaks about the mode of service of notice etc., and most of the landowners have not been issued with any individual notice and in respect of joint pattadhars, notice was served only on one of the pattadhars and since the mandate cast by the said Act and Rules have not been complied with, the impugned notification deserves to be quashed.
- (v) Section 4(c) of the Right of User Act, 1962 enables the person authorized by the Central Government or by the State Government or the Corporation which proposes to lay pipelines for transporting petroleum and his servants and workmen to set out the intended line of work and such an authorization was obtained on 31.05.2012 and necessary notification was issued between

04.04.2011, 19.12.2011 and 20.04.2012 respectively and the authorization has been obtained belatedly and in respect of Namakkal, Tiruppur and Krishnagiri Districts, no authorization has been obtained and therefore, the notification pertaining to the lands located in the said districts are liable to be quashed.

(vi) Laying of pipelines on a particular portion of the lands i.e., whether on the middle or on the other portion of the lands have not been indicated and if pipeline is laid right on the middle of the lands no permanent structure can be put up and no crops can be raised and in respect of meager land holdings, if such a right has been obtained, then the entire land would be incapable of use for agricultural operations and the said aspect has been completely overlooked by the respondents.

(vii) The penalty contemplated under Section 15 of the Right of User Act is also severe in nature and so also the criminal prosecution under Section 16 of the said Act and almost all the writ petitioners are agriculturists with meager land holdings, which are their sole source of livelihood and though it is open to GAIL to go for alteration of the alignment, deliberately they are not doing so and in the process, targeting the poor agriculturists and such kind of act would not exhibit fairness and good conscience and therefore, prays for quashment of the impugned notification.

4. Mr.C.R.Prasanan, learned counsel appearing for some of the writ petitioners, apart from reiterating the points urged by Mr.V.Lakshmi Narayanan, learned counsel appearing for some of the writ petitioners, has drawn the attention of this Court to the typed set of documents filed in W.P.No.23536 of 2012 and would submit that the contents of Page No.61 of the said typed set of documents would disclose that only very few landowners were put on notice and the only intention of GAIL is to acquire the right of user in lands and though they claim that they have not acquired the lands, the fact remains that on account of exercise of right of user in lands, in technical sense, the said lands cannot be used for agricultural operations and in the light of stringent restriction imposed coupled with penalty and criminal prosecution and being a Government entity, they are supposed to act fairly by taking into consideration the welfare and concern of the poor agriculturists.

5. The respective learned counsel appearing for other writ

petitioners had adopted the arguments of Mr.V.Lakshmi Narayanan and Mr.C.R.Prasanan, learned counsel appearing for some of the writ petitioners.

6. Per contra, Mr.Ajmal Khan, learned Senior Counsel assisted by Mr.S.Nambi Arooran and Mr.B.Vishnuchelliya, learned counsels appearing for GAIL would submit that in the light of the common order dated 25.11.2013 made in W.P.No.12897 of 2013 etc., as confirmed by the Hon'ble Supreme Court in Civil Appeal Nos.759-761 of 2016 and dismissal of Review Petition (Civil) Nos.1532 - 1534 of 2016, it is not open to the writ petitioners to challenge the impugned notification and the points urged by them would definitely amount to re-agitating the very same issue, which had already reached finality and it also amount to re-litigation. It is the further submission of the learned Senior Counsel appearing for GAIL that the procedure contemplated under the relevant Act and Rules have been scrupulously adhered to and individual notices were sent by the Competent authority in respect of 5522 landowners, out of which 382 persons alone had raised objections, which have been dealt with by the Competent Authority and the directions issued in the judgment dated 04.10.2012 made in W.A.No.1666 of 2012 have also been complied with.

7. The learned Senior Counsel appearing for GAIL while dealing with the primordial objection that in respect of Namakkal, Tiruppur and Krishnagiri Districts, no authorization has been obtained by GAIL and would submit that authorization was in respect of route only and not the districts and also drawn the attention of this Court to the order dated 25.11.2013 made in W.P.No.12897 of 2013 etc. and would submit that the Division Bench has also noted the routes through the said districts and such kind of objections have not been raised by Farmers Association/Sangam, which was arrayed as the 13th respondent and 7th respondent in W.P.No.15102 of 2013 and W.P. (MD)No.9542 of 2013 respectively and they were represented by Mr.C.R.Prasanan, who is representing some of the writ petitioners herein and as such, the said ground requires outright rejection.

8. Insofar as the liberty granted to the Intervenors by the Hon'ble Supreme Court is concerned, they are the landowners from Kerala and none of the landowners from Tamil Nadu filed any intervening application and the Farmers Association, who was a party to the above said writ petitions, filed Special Leave Petitions, which came to be disposed of in the light of the concession extended by GAIL to pay the enhanced compensation and in fact, the Transfer Petition filed by one of the petitioner, namely W.P.No.23553 of 2012 also came to be rejected and as such, it is not open to the writ petitioners to urge the very same grounds. It is the further submission of the learned

Senior Counsel appearing for GAIL that in the light of the disposal of Civil Appeals by the Hon'ble Supreme Court, it is not open to the writ petitioners to raise any objection as to the right of user of lands and it would also amount to Constructive Res Judicata.

9. Mr.Abrar Mohammed Abdullah, learned counsel appearing for the Competent Authority would submit that vires of Right of User in Land Act, 1962 came to be upheld in the decision in N.V.V.Krishna v. Union of India and Others [AIR 2004 Mad 324] and though an award came to be passed as early as on 2012 determining the compensation, it has been enhanced on account of the concession extended by GAIL before the Hon'ble Supreme Court in the Civil Appeals and the project is in the midway on account of protests and agitations by landowners and therefore, prays for appropriate orders.

10. Mr.G.Rajagopalan, learned Additional Solicitor General appearing for the first respondent in all the writ petitions has invited the attention of this Court to Article 256 of the Constitution of India and would submit that there is an obligation cast upon the States and the Union and the executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose and therefore, the State Government is under obligation to ensure proper implementation of the said project which is of great national importance and also involves public interest and further pointed out that admittedly, the lands have not been acquired but only right of user in lands with minimum and reasonable restriction to protect the pipelines, which would be laid below the earth and necessary safety measures are also in place. It is also brought to the knowledge of this Court that in Nariman of Ramanathapuram District, similar kind of practice/exercise has been done and as such, the apprehension expressed by the landowners are not genuine and prays for dismissal of all these writ petitions.

11. In response to the said submission, Mr.C.R.Prasanan, learned counsel appearing for some of the writ petitioners would submit that hearing of objections by landowners is not an empty formality, as the right of user of particular portion of land is sought to be taken up completely and most of the landowners are having meager land holdings and in real and technical sense, their eking out of livelihood by agricultural operations is completely taken away, which also offends Article 300A of the Constitution of India and as such, the respondents are under obligation/mandate to scrupulously adhere to the relevant provisions of the Act and Rules framed thereunder and they have

failed to comply with the same.

12. Mr.V.Lakshmi Narayanan, learned counsel appearing for some of the writ petitioners has reiterated his earlier submissions and points out that individual notices to all the pattadhars are to be issued and admittedly, it has not been done and there is a restriction to use 20 meters on either side of the lands, below which the pipeline has been laid and there is no clear or specific Rule to that effect and would further add that in almost all cases of acquisition of lands/acquisition of right of user in lands, poor agriculturists alone are targeted under the guise/garb of public interest and therefore, this Court, in exercise of it's Special Original Jurisdiction under Article 226 of the Constitution of India, should come to their aid and therefore, prays for quashment of the impugned notification and allowing of these writ petitions.

13. The respective learned counsel appearing for the parties have placed reliance upon the following decisions:

- (i) P.Chinnanna and Others v. State of A.P. and Others [(1994) 5 SCC 486]
- (ii) Ramniklal N.Bhutta and Another v. State of Maharashtra and Others [(1997) 1 SCC 134]
- (iii) V.Purushotham Rao v. Union of India and Others [(2001) 10 SCC 305]
- (iv) N.V.V.Krishna v. Union of India and Others [AIR 2004 Madras 324]
- (v) Competent Authority v. Barangore Jute Factory and Others [(2005) 13 SCC 477]
- (vi) Nand Kishore Gupta and Others v. State of Uttar Pradesh and Others [(2010) 10 SCC 282]
- (vii) Union of India v. Kushala Shetty and Others [(2011) 12 SCC 69]
- (viii) Raghubir Singh Sehrawat v. State of Haryana and Others [(2012) 1 SCC 792]
- (ix) Bangalore City Cooperative Housing Society Limited v. State of Karnataka and Others [(2012) 3 SCC 727]
- (x) A.Muniappan and Others v. The Tahsildar, Tambaram Taluk and Others [2014 (5) CTC 241].

14. This Court paid it's anxious consideration and best attention to the rival submissions and also perused the

materials placed before it as well as the decisions cited by the respective learned counsel appearing for the parties.

15. It is not in dispute that the Government of Tamil Nadu had also exhibited their inclination to the said project and in fact, appointed one of its officials as the Competent Authority contemplated under the Right of User Act. In the judgment dated 04.10.2012 made in W.A.No.1666 of 2012 (cited supra) in Paragraph No.12, the contents of the counter affidavit filed by the Additional Chief Secretary to the Government, Industries Department had been taken note of, wherein it has been averred that the State Government is fully aware of the fact that the project is of national importance and the District Collectors concerned were instructed to talk to the affected parties and advise them about the benefits of the project to the State Government and also to take appropriate action to ensure law and order in the districts and facilitate laying of the gas pipeline so as to ensure completion of the project within the scheduled time.

16. As per paragraph No.13 of the said order, the Writ Appeal came to be disposed of with certain directions and one such direction is that the proposed alignment of the pipeline for each districts shall be prominently displayed in the public hearing meetings and if any landowner makes a request for explanation with special reference to his land, the same shall be done by GAIL for which purpose, the District Revenue officials shall extend full co-operation.

17. The objections raised by the writ petitioners mainly pertain to the effect that no specific route map / specific space of the land in/through which underground pipelines sought to be laid/erected and no individual notices to the respective pattadhars have been served and since most of the writ petitioners are agriculturists having meager land holdings, if pipeline is laid right across the middle of the lands, space on either side cannot be utilized for any purpose and further that meager land holdings will get further reduced and in that event, no agricultural operations can go on and they would be left with no other avocation.

18. It is the stand of the official respondents in the counter affidavits that GAIL has already acquired lands in Nariman of Ramanathapuram District covering 270 kms and after laying pipelines, the lands were restored to the original position and the farmers continued to carry on agricultural operations and similarly petroleum companies had also paid pipelines through agricultural fields by paying adequate compensation and the farmers did not raise any objection and fair and adequate compensation have been given and disbursed. It is also the stand of GAIL that in the light of the order

dated 25.11.2013 made in W.P.No.12897 of 2013 etc., as confirmed by the Hon'ble Supreme Court in the Civil Appeals and subsequent dismissal of the Review Petitions, the grounds urged by the writ petitioners would amount to re-litigation and that apart, their interest was also projected by Farmers Association, which was arrayed as one of the parties in W.P.No.12897 of 2013 etc. batch.

19. In W.P.No.15286 of 2016 and connected batch of cases and in W.P.Nos.23536, 23537 and 23550 to 23553 of 2012, on behalf of the respondents, namely GAIL and Competent Authority, additional counter affidavits have been filed and it is their stand that the substance of notification under Section 3(1) of Right of User Act, 1962 was also made known to the landowners by beat of drum in the said locality where the lands are situated and the copies of the same were also affixed in the office of the Village Administrative Officers of the respective villagers and the Right of User has been invoked in respect of 5522 landowners, out of which 382 landowners raised objections and it was considered and rejected by the Competent Authority and a report has also been filed to the Central Government and among 382 landowners who raised objections, only 122 landowners filed writ petitions challenging the notification under Section 6(1) of the Right of User Act, 1962.

20. Thus, the materials placed would clearly indicate that the parties are aware of the exercise of Right of User by GAIL and from the above said figures, only minimal of them had raised objections and those objections were considered and rejected by the Competent Authority. Even for the sake of arguments, some of the writ petitioners have not been served with notices, once they participate they can said to have implied notice as to the said proceedings. It also hardly matters that if he does not receive any notice once he participate in the proceedings. Therefore, the alleged non-compliance of Rule 8 of the Right of User in Lands Rules, 1963 have not caused any prejudice to the concerned writ petitioners and the objections as to the non-serving of notice on some of the joint pattadhars is only an after thought to delay the further proceedings.

21. Insofar as the compliance of the judgment dated 04.10.2012 made in W.A.No.1666 of 2012, it is the stand of GAIL and Competent Authority that the sketch and route map of the project was very much placed for perusal of the landowners and whoever filed objections have also been permitted to peruse the sketch and route map and therefore, the stand of the writ petitioners that they have not been furnished with the copy of the route map cannot be sustained. GAIL also took a stand that since the farmers and landowners including the petitioners Association sought for common enquiry and also filed their

common objections, the same were considered by the Competent Authority and came to be rejected and orders of rejection were also served on them individually and thereafter only, Section 6 Declaration was published in the Government of India Gazette and once the said notification is issued, the right of user in lands vest with the Government of India, which in-turn is vested with GAIL by the Ministry of Petroleum and Natural Gas.

22. As regards the apprehension expressed by the petitioners that after laying of pipelines, there is every possibility that they may not be able to cultivate the lands, it is the stand of GAIL that laying of pipelines will not be done by demolishing any superstructures which were in existence prior to the notification and while laying pipelines, sufficient space will be given from the point of pipeline to the existing building or bore-well. It is also contended by GAIL that the writ petitioners did not file any individual objection and only filed joint/common objections and the said objections were considered by the Competent Authority and rejected the same.

23. The primordial objection raised by the writ petitioners is that there is no authorization in respect of three districts, namely Namakkal, Tiruppur and Krishnagiri and as such, pipelines cannot be taken through the lands which are situated in those districts. However, it is the stand of GAIL that it is only a route map and it is unnecessary to state each and every district and the plan would also indicate that the pipelines are taken through some of the lands located in the said districts also.

24. A perusal of the typed set of documents filed on behalf of the writ petitioners would clearly indicate that some of them had filed individual objections and one such objection was filed by one Mr.V.Chinnusamay, S/o. Late Velala Gounder, Tiruchengode to the Special Officer of GAIL wherein he would indicate that the proposed pipeline is taken in front of his house and since equally pipelines passing through lands, seeks shifting/change of alignment. Similarly, one Mr.Palaniswamy had also given statement as to the knowledge of laying of pipeline in his lands in survey numbers, but he wants change of alignment on the eastern side of the said lands. Similarly, one Mr.Radhamani had also filed his objections to the Competent Authority expressing objection, but he did not spell out any specific reason as to his objections.

25. No reply affidavits have also been filed to the counter affidavits filed by GAIL and the Competent Authority as to the non-compliance of the judgment passed in W.A.No.1666 of 2012 by hearing of objections as to the route/specific area of the lands through which the pipeline is sought to be laid.

26. It is also pertinent to point out at this juncture that

in W.P.No.12897 of 2013 filed by GAIL referred to supra, some individual landowners got impleaded as respondents 13 to 22, 24 to 35 and the Farmers Association, represented by General Secretary, Kandasamy was also impleaded as the 23rd respondent and the said Association was represented by Mr.C.R.Prasanan, learned counsel who is appearing for some of the writ petitioners herein. In paragraph No.7.2 of the said order, the Division Bench of this Court has taken note of the fact the first respondent namely the Government of Tamil Nadu has convened meetings between 06.03.2013 and 08.03.2013, wherein farmers and landowners from 134 villages from 7 districts attended the said public hearing meetings and 186 landowners/farmers from Coimbatore, 103 from Namakkal, 376 from Tiruppur, 333 from Krishnagiri, 340 from Erode, 493 from Dharmapuri and 596 from Salem attended the said public meetings and submitted objections totaling 1946 numbers and the farmers/landowners unanimously opposed the laying of pipelines through their agricultural fields and implementation of the project in the proposed alignment and also expressed their grievances and the officials of GAIL had also participated in the said public hearing meetings.

27. In paragraph No.7.3 of the said order, objections raised by the farmers/landowners have also been taken note of and it is relevant to extract the same:

"(a). The proposed pipeline would affect the livelihood of the small farmers, since the width of the tract covered under the Right of Use (ROU) is 20 meters (about 66 feet) which bars a substantial chunk of their land holdings from any future development.

(b) Laying of pipeline across the lands of small and marginal farmers would make it economically and technically unviable to continue their agricultural activities.

(c) The proposed pipeline would make the value of the land come down drastically.

(d) Banks are also refusing loans for the lands covered under the pipeline project.

(e) Farmers' requests for considering alternative routes, wherever feasible, were also not considered by GAIL.

(f) Farmers have been compelled to cooperate for the implementation of the project.

(g) The recent amendment to the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 would put the farmers in a state of constant anxiety and fear that any time they can be charged for any damage that can happen to the pipeline

without their knowledge.

(h) The project was being implemented forcibly without farmers consent in their own lands without any proper consultation/intimation or minimum consideration.

(i) Laying of pipeline would cause destruction of their hard earned properties like house, poultry shed, pond, water tanks etc.

(j) The farmers are barred from planting deep rooted trees in the ROU area after the pipes are laid. This condition severely affects the farmers who depend on fruit bearing trees and coconut trees for their livelihood.

(k) In some places, the proposed pipeline goes through approved residential layout areas and through educational institutions also, which may remain as a constant threat.

The response of GAIL to the said objections were noted in paragraph No.7.4 of the said order and it is relevant to extract the same:

(a) In the unlikely event of any damage to irrigation system, yielding borewells/wells and drip irrigation system, full compensation will be paid. The farmers are compensated for the remaining economical life and upfront total compensation as per valuation by state Agriculture/horticulture development.

(b) No dwellings will be damaged while laying the pipeline. Safety measures as per international standard are practiced to ensure safety.

(c) All crops like rice, tomato, potato, sugarcane, banana, ragi, corn, flowers are possible after laying the pipeline. The experience of other states in the country and farmers in Tamil Nadu Cauvery basin are examples.

(d) No fencing, road or other demarcations are placed along ROU. Soon after laying of pipeline, the same will be restored to original condition. Farmers can fully utilize the ROU land for farming.

(e) No RBI guidelines prevent the banks from disbursing loans to cultivable lands where pipeline has been laid already. The loan is disbursed based on the guideline value. GAIL is already paying a part of guideline value as compensation.

(f) GAIL has just commissioned a 700 kms pipeline in Karnataka mainly passing through farm land. The pipeline is being laid in Kerala via farmland as part

of Kochi-Kootanad-Bangalore-Mangalore Gas pipeline project. The competent Authority's compensation distribution to the tune of Rs.150 crores in these States to the farmers/land owners is a proof for such activities. GAIL is operating 270 kms of gas pipeline in Southern districts of Tamil Nadu in Cauvery basin for past 15 years without any problem to farmers and agriculture.

(g) National Highway Authority does not normally allow laying of pipeline along Highways for a long stretch. The pipeline for City Gas Distribution has been laid along the road side in Bangalore City and in Kerala, a small stretch of 12 Kms could be laid along in Highway under construction without disrupting any traffic.

(h) All the procedures with regard to ROU acquisition including service of notice and public hearing is being followed as per provisions of Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (Central Act 50 of 1962) (herein after called the 'Right of User Act'). The receipt of compensation and the Government of India Gazette of Sec.3(1) and Sec.6(1) are proof of the same.

(i) GAIL has furnished Field Measurement Book details to all those farmers who have sought the same. A platform was also provided to the farmers during the Sec.3(1) hearing to know the details. The full maps and FMB details were also shown to farmers during hearing under Sec.5 by Competent Authority and the same is available in the office of Competent Authority.

(j) The amendment to Right of User Act, holds only those individuals caught red handed with product and tools and in no way holds the landowner accountable. The amended Act does not enforce security/watchman duty on the land owners. The amendment was issued to prevent increasing pilferage/sabotage of Petroleum product.

(k) The internationally accepted standard American Society for Mechanical Engineers (ASME) 31.8B has necessary guidelines for laying pipeline as per the density of population. The consultant base the pipeline design on the above. GAIL has ordered and received the full quantity of pipes required for the project. The pipes are made of various thickness as per the guide line available in ASME 31.8B. The 1000 crores worth pipe procured and stored at site not suitable for laying along national highway as the thickness of pipe required for laying along highway

will be more. The thickness of the pipes utilized depend on the population density of the area. Areas having same density of population will use same thickness pipes."

In paragraph No.7.5 of the order, the facts that emerged from the objections raised by the farmers/landowners and the response made by the GAIL were also noted and the same are extracted hereunder:

(a) The unanimous request of the farmers was to protect their lands from the gas pipeline and to take the entire alignment of the pipeline along the National or State Highways.

(b) There was an indisputable and overwhelming unanimity amongst the farmers of all the seven districts against the project.

(c) Their numerous objections were based on grounds over the

- Truncation and fragmentation of their lands.

- Restriction on the use of their lands, destruction of mature assets like fruit bearing trees, coconut plantation, poultry units, goat and sheep rearing units etc.

- Reduction in land value and non availability of credit facilities,

- Destruction of water bodies like bore wells, wells, ponds and existing pipelines which drastically affects agriculture and drinking water in the 7 districts which are already water deficient.

- Demolition of dwellings of the poor farmers by way of houses, huts and other structures which fall within the gas pipe alignment,

- In districts like Dharmapuri where the sub soil is hard rock, any further blasting for development work like laying water pipelines running close to the gas pipeline becomes a major security hazard,

- The farmers have strong apprehensions about the gas pipeline passing below their agricultural lands and near dwellings and fear that this is a threat to their safety and security, and the provision of the Right of User Act, (as per Amendment Bill 2011) makes the farmers responsible for the protection of the gas pipeline and makes them criminally liable in case of any pilferage and any damage.

28. In paragraph No.8 of the said order, the counter affidavit filed by the private respondents, namely respondents 13 to 22 were also taken note of, wherein they took a stand that they did not oppose the gas pipeline project of GAIL as a whole, but they wanted the project to be implemented via alternative route i.e., along the National Highways, Railway Lines, beneath river beds etc. The Farmers Association, who was impleaded as 23rd respondent in the said writ petition, had also filed a counter affidavit wherein they took a stand that the proposed location of the pipeline should be given to each individual owner so that he may be in a position to know as to which part of his land will be used by GAIL and that can be done only in the event of the sketch being furnished and that Section 5 of the Right of User Act has not been complied with by GAIL in letter and spirit. The Division Bench, taking note of the public interest involved and the benefits of the said project, has allowed the writ petition filed by GAIL and closed the Public Interest Litigations filed by others.

29. The Government of Tamil Nadu, aggrieved by the same, preferred SLPs and it was entertained and converted as Civil Appeal Nos.759-761 of 2016 and the Hon'ble Apex Court, taking note of the concession extended by GAIL that they will pay more compensation, had issued certain directions and disposed of the Civil Appeals, vide judgment dated 02.02.2016. The Government of Tamil Nadu filed Review Petitions in Rev.Pet.(Civil) Nos.1532 - 1534 of 2016, which was also dismissed, vide order dated 01.03.2016. In the light of the above said verdicts, it cannot be said that the said project lacks public interest and would affect the livelihood of landowners - most of them are said to be agriculturists.

30. It is also to be pointed out at this juncture that the lands are not acquired but only the right of user in lands with certain restrictions for which the landowners are adequately getting compensated in the light of the concession extended by GAIL in the aforesaid Civil Appeals. It is also the stand of GAIL that in Nagapattinam District, laying of pipelines have been completed and on account of public agitations and non-cooperative attitude exhibited by the State Government, the project could not get through insofar as the State of Tamil Nadu is concerned.

31. The details of "Kochi-Kottanad-Mangalore-Bangalore Pipeline Project" have been furnished in Annexure-A, signed by the Secretary, Petroleum and Natural Gas Regulatory Board, New Delhi, which is available at Page No.157 of the typed set of documents filed on behalf of the writ petitioners and the following Spur Lines are given and the same is extracted hereunder:

"TOP to Coimbatore Despatch terminal - 12"/ 10 Kms.
Grid for consumers in Coimbatore - 8"/ 40 Kms.
Grid for consumers in Tripipur - 8"/ 10 Kms.
TOP to Erode Despatch Terminal Agni Steel - 8" / 2 Kms.
Grid for consumers in Tiruchengode - 8" / 30' Kms.
Grid for consumers in Salem - 8"/ 30 Kms."

32. The judgment dated 04.10.2012 made in W.A.No.1666 of 2012 as well as the common order dated 25.11.2013 made in W.P.No.12897 of 2013 etc., batch speaks about the pipeline projects through the Districts of Coimbatore, Tiruppur, Erode, Namakkal, Krishnagiri, Dharmapuri and Salem and as rightly contended by the learned Senior Counsel appearing for GAIL, it is only a route map and it is not necessary to specifically state as to the particular piece of land through which the pipelines are to be taken. In fact the Farmers Association/Sangam, 23rd respondent in W.P.No.12897 of 2013, had also espoused the cause of farmers/agriculturists, who are similarly placed like that of the writ petitioners and it is not made known whether the petitioners are the members of the said Association or not and that apart, individual farmers also got impleaded themselves as parties in the writ petitions and all possible objections raised by them have also been considered.

33. The Division Bench of this Court, in the judgment dated 04.10.2012 made in W.A.No.1666 of 2012 referred to supra, has given certain directions and it merely contemplates conducting of public meetings and displaying of the proposed alignment of the pipeline in each district in the said meetings and it was further indicated that if any landowner makes a request for explanation with special reference to his land, the same shall be done by the appellant/GAIL for which purpose, the District Revenue Officer shall extend full cooperation. In pursuant to the said directions, the proposed alignment details have been displayed, for which some of the writ petitions raised objections and those objections were rejected by the Competent Authority and individual communications have also been addressed to the respective landowners. It is the stand of GAIL that after laying of pipelines beneath the earth, adjacent place/space to a particular extent cannot be utilized for growing deep root plants, but they can do normal cultivation and it was specifically pointed out that at Nariman in Ramanathapuram District, using similar technology, pipelines were laid and after completion of work, the farmers continued to do agricultural operations and the said fact was also not disputed by the writ petitioners.

34. The counter affidavit of the respondents 2 and 3 would also disclose that majority of the landowners had acceded to the said project and willing to receive compensation and in fact, received it also.

35. In V.Purushotham Rao v. Union of India and Others [(2001) 10 SCC 305] which pertains to discretionary allotment of retail outlets for petroleum products, LPG and SKO dealership, it has been held that discretionary allotment of retail outlets for petroleum products by Ministers without making proper verification cannot be allowed and it also lays down the proposition that the exercise of discretionary power must not be arbitrary or capricious or for any extraneous consideration. In the case on hand, power has been exercised in accordance with law.

36. In Competent Authority v. Barangore Jute Factory and Others [(2005) 13 SCC 477], the matter pertains to National Highways Act and it has been held that the absence of a plan also renders the right to file objections under Section 3-C(1) nugatory. In the considered opinion of the Court, the said judgment has no application to the case on hand for the reason that in compliance of the judgment dated 04.10.2012 made in W.A.No.1666 of 2012, the details of the route map have been furnished to the landowners and in the additional typed set of documents, they did file their objections as to the proposed alignment and those objections were considered and rejected by the Competent Authority.

37. In Ragbir Singh Sehrawat v. State of Haryana and Others [(2012) 1 SCC 792], the matter pertains to large scale acquisition of agricultural land ostensibly for public purpose in violation of mandatory procedure and rules of natural justice, but in the case on hand, it is not the acquisition of lands, but only acquisition of right of user in lands for which also the petitioners will be adequately compensated in the light of the concession extended by GAIL before the Hon'ble Supreme Court in the Civil Appeals (referred supra), which has also been recorded.

38. In Bangalore City Cooperative Housing Society Limited v. State of Karnataka and Others [(2012) 3 SCC 727], it has been held that acquisition for Public purpose for cooperative housing society can be done only if the scheme has been approved by the appropriate authority before initiation of acquisition proceedings, but in the case on hand the said procedure has been

complied with and the same has been noted by the earlier Division Bench in the common order dated 25.11.2013 made in W.P.No.12897 of 2013 etc., batch and the same has been confirmed by the Hon'ble Apex Court.

39. In Ramniklal N.Bhutta and another v. State of Maharashtra and Others [(1997) 1 SCC 134], it has been held that the Courts have to weigh the public interest vis-a-vis the private interest while exercising the power under Article 226- indeed any of their discretionary powers and it may even be open to the High Court to direct, in case it finds finally that the acquisition was vitiated on account of non-compliance with some legal requirement.

40. In Union of India v. Kushala Shetty and Others [(2011) 12 SCC 69], it has been held that the allegations should be made with material particulars and in the absence of the same, the scope of judicial review is very limited and the Court can nullify acquisition of land in rarest of rare cases, if it is found ex-facie contrary to law or tainted due to mala fides. In the case on hand, it is not even the case of the writ petitioners that acquisition of right of user in lands lacks public interest and with oblique motive and mala fides, such an act is done.

41. It is also to be pointed out at this juncture that the vires of Right of User Act, 1962 has also been upheld by this Court in the decision in N.V.V.Krishna v. Union of India and Others [AIR 2004 Madras 324].

42. In A.Muniappan and Others v. The Tahsildar, Tambaram Taluk, Tambaram, Chennai and Others [2014 (5) CTC 241], it has been held that once an issue has been agitated and findings have been given, it cannot allowed to be re-agitated.

43. The Hon'ble Apex Court in Civil Appeal Nos.759 - 761 of 2016, while upholding the common order dated 25.11.2013 made in W.P.Nos.12897 of 2013 etc., batch, has taken note of the concession extended by GAIL and ordered payment of fair compensation than contemplated under the Act and also granted liberty to the landowners to approach the concerned authority, if they feels that the compensation is inadequate/low.

44. No doubt, acquisition proceedings as well as acquisition of right of user in lands would cause some distress, hard feelings, inconvenience and difficulties and since public interest is involved, right of user of lands was acquired. It is also assured on behalf of GAIL that there is no prohibition to plant crops, which are not deep rooted after leaving some space and in fact such kind of activities are being done by farmers of Nariman at Ramanathapuram Districts.

45. GAIL shall take all necessary steps to convince the landowners/farmers since the project will develop industrialization and this Court expects that the Government of Tamil Nadu to extend its fullest cooperation and also made similar observations in paragraph No.73 of the order 25.11.2013 made in W.P.No.12897 of 2013 etc., batch.

46. In the result, all the Writ Petitions are dismissed. Interim orders granted, if any, shall stand vacated. No costs. Consequently, connected miscellaneous petitions are dismissed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

Jvm

To

- 1.The Under Secretary,
The Union of India
Ministry of Petroleum Gas,
Sasthri Bhavan, New Delhi-110 011.
- 2.The Deputy Collector/Competent Authority,
GAIL India Limited,
Hotal Salem Castle Compound, Salem.
3. The Executive Director (Projects)
and Appellate Authority
Gas Authority of India Limited
Dr.Ashutosh, Karnataka,
16 Bhikatiji Road, New Delhi-110 066.
4. The Secretary, Government of India
Ministry of Petroleum and Natural Gas
Shastri Bhavan, Newdelhi 110 001.

5. The Senior Manager(Law)
Gail (India)Ltd, Chennai Regional Officer
T. Nagar, Chennai 17.

6. The Competent Authority
Gail(India)Ltd, Hotel Salem Castle Campus
Swarnapuri, Salem 4.

+1 CC to Mr.N.Rajan, Advocate sr 4910.

+1 CC to Mr.C.E.Pratap, Advocate sr 4830.

+4 Ccs to Mr.Va.Vu.Si. Vazhakagam, advocate sr 4631.

+1 CC to Mr.G. Baskaran, Advocate sr 4457.

+5 Ccs Ajmal Associates sr 3944.

+6 CC to Mr.C.R.Prasanan, Advocate sr
4429, 4431, 4434, 4433, 4430, 4432

+1 CC to Mr.K.Srinivasamurthi CGSC sr 3926.

+1 CC to Mr.J.Madanagopal Rao SCGSC sr 4074.

+1 CC to Mr.T.L. Thirumalaisamy, advocate sr 5142.

+1 CC to Mrs.Swarnalatha, Advocate sr 4075.

in W.P.Nos.23536, 23537, 23550 to 23553 of 2012,
W.P.No.4888 of 2013,
W.P.Nos.7606, 7607, 15286 to 15295,
15410 to 15416, 15830 to 15834,
16034 to 16038, 16221 to 16225, 16339 to 16343,
16912 to 16917, 17178 to 17184,
17186 to 17191, 17448 to 17452, 17510,
17505 to 17509, 17516 to 17519, 17534 to 17540,
17562 to 17567, 17568 to 17572,
17573 to 17581, 17582 to 17590,
20784 to 20790 of 2016

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