



WEB COPY

W.P.(MD).No.19987 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .No.19987 of 2019

Subash Selvakumar

... Petitioner

vs.

1.The Secretary to Government,
Ministry of Petroleum and Natural Gas,
Government of India,
New Delhi.

2.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai -9.

3.The Authorized Officer,
M/s.Indian Oil Corporation Limited,
No.139, Indian Oil Bhavan,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.

4.The District Collector,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents 3 and 4 from laying gas pipelines through the agricultural lands in Kulayankarisal Villgage, by considering the representation made through Kulayankarisal Village Farmers Society on 17.6.2019.

For Petitioner	: Mr.T.A.Ebenezer
For Respondents	: Mr.K.Muralidharan
1 and 3	Standing Counsel
For Respondents	: Mr.S.Angappan
2 and 4	Government Advocate



O R D E R

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.T.A.Ebenezer, learned counsel appearing for the Petitioner and Mr.K.Muralidharan, learned Standing Counsel who accepts notice on behalf of the respondents 1 and 3 and the learned Government Advocate who accepts notice on behalf of the respondents 2 and 4.

2.By consent of either side, this writ petition is taken up for disposal.

3.The Petitioner seeks for issuance of a Writ of Mandamus forbearing the respondents 3 and 4 from laying gas pipelines across the agricultural lands owned by him.

4.The issue as to whether the respondents have got right to lay gas pipelines is no longer res-integra and settled by the Division Bench of this Court. Therefore, the minimum that the land owner can expect is to put him on notice as to the proposed alignment of the gas pipeline in his agricultural land.

5.The learned counsel for the Petitioner submitted that no such notice has been issued, whereas, the learned Standing Counsel appearing for the third respondent submitted that notification will be issued and notice also will be issued to all the persons whose lands are being used for the laying of the gas pipeline. Further, it is submitted that it is not an acquisition of land but it is only a right to use the land for laying gas pipeline.

6.It is expected that notice will be issued by the third respondent to the Petitioner. The Petitioner can expect a notice served on him, if he is a land owner. In any event, the third respondent can only proceed with the matter, as per the procedures established by law.

7.With the above observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

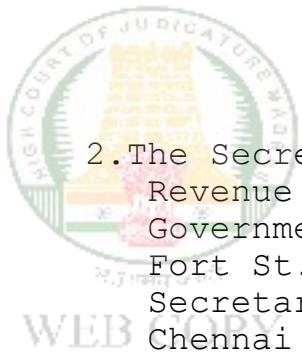
/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary to Government,
Ministry of Petroleum and Natural Gas,
Government of India,

<https://hcservices.hcscourts.gov.in/hcservices/>



2.The Secretary to Government,
Revenue Department,
Government of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai -9.

3.The Authorized Officer,
M/s.Indian Oil Corporation Limited,
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Chennai - 600 034.

4.The District Collector,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.K.MURALEEDHARAN, Advocate (SR-87432[F] dated
18/09/2019)

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-87708[F] dated 19/09/2019)

ORDER MADE IN
W.P. (MD) .No.19987 of 2019
18.09.2019

vsn

JM/10.10.2019/3P/7C