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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21..06..2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.19222 of 2020

A.Palanisamy

... Petitioner

-Versus-

1.Airport Authority of India,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi 110 003.

2.The Director,
Airport, Salem.

3.The District Collector,
Salem.

[3rd respondent suo motu impleaded
asper order of this court dated 08.02.2021
made in W.P.No.1922 of 2021]

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to consider the recommendation made by the District Collector dated 25.09.2020 and the consequential representation of the petitioner dated 08.10.2020 and pass orders to allot 1.93 Acres of land out of 2.75 Acres of land acquired in the developed area.

For Petitioner

: Mr.U.Karunakaran

For Respondent(s)

: Mr.S.R.Sumathy, standing
counsel for R1 & R2

Mr.Yogesh Kannadasan, GA
for R3



ORDER

[This matter has been heard through video conference]

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This writ petition has been filed seeking a direction to the 1st respondent to consider the recommendation made by the District Collector dated 25.09.2020 and the consequential representation of the petitioner dated 08.10.2020 and to pass orders allotting 1.93 Acres of land out of 2.75 Acres of land acquired in the developed area.

2. This writ petition has come up today for admission.

3. The case of the petitioner is that he owns a land measuring an extent of 7.5 Acres of land at Pottypuram Village, adjacent to Salem Airport, which he had purchased ten years back with an intention to establish an Aircraft Flying School and Maintenance, Repair and Overhauling industry. While so, out of 7.5 Acres of land 2.75 Acres of land have been acquired by the Government for the purpose of expansion of Salem Airport. In those circumstances, the petitioner had approached the State Government as well as the respondents 1 and 2 for providing alternative site to enable him to carryout his object. The District Collector, Salem, upon considering his request, by proceedings dated 25.09.2020, made a request to the 1st respondent to consider the request of the petitioner for providing alternative site. However, no order has been passed by the 1st respondent on the recommendations made by the District Collector, Salem, till date. Hence, this writ petition.

4. Today, when the petitioner is taken up for hearing, the learned standing counsel for the respondents 1 and 2 submitted that the General Manager (Land Management), Airport Authority of India, Chennai, has considered the request of the petitioner for allotment of alternative site, in lieu of the land acquired from him, in the light of the recommendations made by the District Collector, Salem and by his proceedings dated 15.05.2021 turned down the request of the petitioner. The learned counsel further submitted that a copy of the order has also been communicated to the petitioner.

5. Considering the fact that the representation of the petitioner has been considered and the request of the petitioner has been turned down by the competent authority, the prayer sought for in the writ petition cannot be considered and the writ petition is liable only to be dismissed.

In the result, this writ petition is dismissed. It is, however, made clear that if the petitioner has got any grievance



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over the order of the General Manager (Land Management), Airport Authority of India, it is always open to him to challenge the same in the manner known to law, if so advised. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

kmk

To

1.Airport Authority of India,
Rajiv Gandhi Bhavan,Safdarjung Airport,
New Delhi 110 003.

2.The Director, Airport, Salem.

3.The District Collector, Salem.

+1cc to the Government Pleader, S.R.No.28736

Writ Petition No.19222 of 2020

KV(CO)
CB(20/07/2021)