

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.23888 OF 2010

AND

M.P.NOS.1 TO 3 OF 2010

1. M.Ponnuswamy

2. M.Chinnaraj

... Petitioners

Versus

1. The State of Tamil Nadu,
Rep. By the Secretary,
Industries Department,
Secretariat,
St. Fort. George,
Chennai.

2. The District Collector,
Perambalur District,
Perambalur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari, calling for the records of the Notice No.II(2)/IND/398(b)/2010 issued by the first respondent under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, published in the Government Gazette dated 01.07.2010 and to quash the same.

For Petitioners : Mr.V.R.Thangavelu

For Respondents : Mr.S.Silambanan
Additional Advocate General
Assisted by
Mr.Yogesh Kannadasan
Spl. Govt. Pleader

ORDER

This writ petition has been filed to quash the Notice No.II (2)/IND/398(b)/2010 issued by the first respondent under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, published in the Government Gazette dated 01.07.2010.

2. The learned Additional Advocate General assisted by Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents drawing the attention of this Court to paragraph No.9 of the status report, fairly submitted that this writ petition may be closed as the proposal for withdrawal of acquisition of petitioners' land under Section 4 (1) of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 is to be accepted by the Government and notification to that effect will be published in the Gazette shortly. For better appreciation, paragraph No.9 of the Status Report is extracted hereunder :-

9. However, it is submitted that since the Commissioner of Land Administration had recommended to retain the land with the Government SIPCOT was asked if they would require the land for its land bank / any other industrial purposes. Since the report of SIPCOT was not obtained, it has now been decided that as requested by the requisitioning body viz., TIDCO and as recommended by the District Collector, Perambalur, the proposal for withdrawal of the acquisition of land measuring an extent of 6.83.5 hectares in Survey No.56/3 etc. (including the petitioners land) in Eraiyur village, Vepanthattai Taluk, Perambalur District u/s. 4(1) of Tamil Nadu Acquisition of Land for Industrial Purposes Act 1997 would be accepted by the Government. Accordingly, orders have been obtained in circulation, to issue of notification under Section 4(1) of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, for withdrawal of 16.87 Acres (6.83.5 Hectares) of land (including the petitioners' land) from acquisition in Eraiyur Village, Vepanthattai Taluk, Perambalur District and the said withdrawl notification will be issued in the Government Gazette shortly.

3. In view of the stand taken by the respondent in the status report as well as recording the submissions made by the learned Additional Advocate General, this writ petition is closed. The respondents are directed to implement Paragraph No.9 of the status report, within a period of 12 weeks from the

date of receipt of a copy of this order. No costs.
Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Secretary
State of Tamil Nadu,
Industries Department,
Secretariat,
St. Fort. George,
Chennai.
2. The District Collector,
Perambalur District,
Perambalur.

+1cc to Mr.V.R.Thangavelu, Advocate, S.R.No.18982

+1cc to the Government Pleader, S.R.No.19508

W.P.No.23888 of 2010

KV(CO)
RLP(21/04/2022)