



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.02.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2887 of 2022
and
W.M.P.Nos.3017 & 3021 of 2022

Nagendran

... Petitioner

Vs.

1. The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
Represented by its Managing Director,
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

2. The District Revenue Officer,
Thiruvallur District.

3. The Thasildhar,
Gumudupoondi Taluk,
Thiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from conducting the enquiry under Section 3(2) and publication of Notification under Section 3(1) pursuant to notice dated 28.10.2021 bearing No. Na Ka En.21074/2020/F.3, under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 published on 10.11.2021 in Dailythanthi newspaper for the 1st respondent's proposed "Bulk Drug Park" at Sanaputhur, Matharapakkam & Vaaniyamalli Villages, Gumudipoondi Taluk, Thiruvallur District without prior environmental clearance being obtained for the 1st respondent's project under the EIA Notification, 2006 issued under the Environment (Protection) Act, 1986, within the stipulated period of time granted by this Court.

For Petitioner	: Mr.A.Yogeswaran
For R1	: Mr.M.Karthikeyan
For R2, 3	: Mr.G.Krishna Raja
	Additional Government Pleader

O R D E R

The petitioner has filed this writ petition to forbear the respondents from conducting the enquiry under Section 3(2) and publication of Notification under Section 3(1) pursuant to notice dated 28.10.2021 bearing No. Na.Ka.En.21074/2020/F.3,



under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 published on 10.11.2021 in Dailythanthi newspaper for the 1st respondent's proposed "Bulk Durg Park" at Sanaputhur, Matharapakkam & Vaaniyamalli Villages, Gummudipoondi Taluk, Thiruvallur District without prior environmental clearance being obtained for the 1st respondent's project under the EIA Notification, 2006 issued under the Environment (Protection) Act, 1986, within the stipulated time granted by this Court.

2. The case of the petitioner is that the petitioner owns agricultural lands in Sanaputhur Village. Wherein, the petitioner doing agriculture for the last 35 years. While being so, on 10.11.2021 a notice was issued in Dinathanthi Tamil Newspaper pursuant to Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and further another notice was issued by the 2nd respondent dated 15.11.2021 to the petitioner, stating that the lands in Sanaputhur, Madarpakkam and Vaniyamalli Village are earmarked for acquisition for SIPCOT'S Bulk Drug Park, which included the petitioner's land in S.No.173/2, Sanaputhur Village, admeasuring to an extent of 3550 Sq.M. Subsequently, the petitioner submitted a detailed response to the notice of the respondents on 05.12.2021 stating to cease the further acquisition proceedings until a environmental clearance is obtained. On 23.12.2021, the petitioner received a reply from the District Revenue Officer stating that the enquiry under Section 3(2) of the 1997 Act will be conducted and the petitioner's objections along with the others will be sent to SIPCOT and a reply will be sent to the petitioner. Whereas, the respondents have proceeded the land acquisition for 1st respondent despite the bulk drug manufacturing industries being one of the most polluting industries and categorized as Category A industry under the EIA Notification 2006 and hence, the present writ petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice, if this Court, issues a direction to the 2nd respondent to consider the objection notice dated 05.12.2021 made by the petitioner and pass orders on the same within a particular time frame fixed by this Court.

4. The learned counsel for the respondents appearing for the respondents has no objection to the said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to consider the petitioner's objection dated 05.12.2021 in accordance with law and pass appropriate orders on the same, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

nhs/jd

To

1. The Managing Director,
The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.
2. The District Revenue Officer,
Thiruvallur District.
3. The Tahsildar,
Gumudupoondi Taluk,
Thiruvallur District.

+1 cc to Government Pleader Sr.NO. 11521

W.P.No.2887 of 2022
and

W.M.P.Nos.3017 & 3021 of 2022

ak(CO)
A.SK(31/03/2022)