



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.11025 of 2022

1. Chennakrishnan
2. Govindasamy ... Petitioners

Vs.

1. The Government of Tamil Nadu,
Rep.by its Secretary to Government,
Department of Industries,
Secretariat, Fort St. George,
Chennai-600 009.
2. State Industries Promotion Corporation of
Tamil Nadu Ltd (SIPCOT),
Rep.by its Managing Director,
No.19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai-600 008.
3. The District Collector,
District Collectorate Office,
Krishnagiri-635 115.
4. The District Revenue Officer (LA),
(SIPCOT) H-39, TNHB Phase-II,
Krishnagiri, Krishnagiri District.
5. The Tahsildar,
Uthangarai Taluk,
Krishnagiri District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 25.10.2021 for restoration of pathway measuring an extent of 270 meters comprised in Survey No.68/3A situated at Rettiipatti Village, Uthangarai Taluk, Krishnagiri District, within the time to be stipulated by this Court.

For Petitioners : Mr.R.Bharath Kumar

For Respondents : Mr.Yogesh Kannadasan,
Special Government Pleader



O R D E R

This writ petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondents herein to consider the petitioner's representation dated 25.10.2021 for restoration of pathway, measuring an extent of 270 meters, comprised in Survey No.68/3A situated at Rettiipatti Village, Uthangarai Taluk, Krishnagiri District.

2. The case of the petitioners is that the property in S.No.68/1 situated at Rettiipatti Village, Uthangarai Taluk, Krishnagiri District, was originally purchased by the petitioners' grandmother. Thereafter, the said land was subdivided into Survey Nos.68/3A, 68/1B and 68/1C. When that being so, the SIPCOT acquired vast extent of lands in S.No.68/3A, for which, the compensation has been paid to the petitioners. The grievance of the petitioners is that there was a pathway measuring about 270 meters, adjacent to the acquired property and the said pathway was in use for reaching the petitioners' lands. Therefore, representation dated 25.10.2021 has been filed before the third respondent, seeking to retain the aforesaid land as pathway for reaching their lands. However, till date, no order has been passed on the said representation made by the petitioners. Hence, the petitioners have filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioners submitted that, it would suffice, if this Court issues direction to the fifth respondent/Tahsildar to consider the petitioners' representation dated 25.10.2021 and pass orders on merits within a particular time frame to be fixed by this Court.

4. The learned Special Government Pleader appearing for respondents has no objection for said order being passed.

5. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the fifth respondent to consider the representation dated 25.10.2021 of the petitioners and conduct enquiry between the petitioners and the second respondent/SIPCOT and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioners as well as aggrieved persons, if any within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above observations and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
The Government of Tamil Nadu,
Department of Industries,
Secretariat, Fort St. George,
Chennai-600 009.
2. State Industries Promotion Corporation of
Tamil Nadu Ltd (SIPCOT),
Rep.by its Managing Director,
No.19-A, Rukmani Lakshmipathy Road,
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5. The Tahsildar,
Uthangarai Taluk,
Krishnagiri District.

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.30829

+1cc to the Government Pleader, S.R.No.30884

W.P. No.11025 of 2022

SSD(CO)
SB(15/06/2022)