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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.1.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.16616 of 2021

C.M.Sivababu, Founder/
President, Tamil Desiya
Makkal Katchi

.. Petitioner

Vs

1. Union of India rep. by its
Secretary to Government,
Ministry of Personnel, Public
Grievances and Pensions
North Block, New Delhi-110 001.
2. The Secretary to Government,
Ministry of Commerce and Industry,
Government of India, Udyog Bhawan,
New Delhi-110 107.
3. The Director, Central Bureau of
Investigation, Plot No.5B, CGO
Complex, Lodhi Road,
New Delhi-110003.
4. The Joint Director and Head of
Zone, Central Bureau of
Investigation, Chennai Zone,
EVK Sampath Building,
College Road, Chennai-6.
(R3 & R4 deleted vide order dated
11.8.2021 by Hon'ble CJ and PDAJ)
5. The State of Tamil Nadu, rep.by
its Secretary to State, Home
Department, Fort St. George
Chennai-9.



6. The Secretary to State, Industries
Department, Fort St. George,
Chennai-9.
7. The Secretary to State, Revenue
Department, Fort St. George,
Chennai-9.
8. The Secretary to State, Commercial
Taxes and Registration Department,
Fort St. George, Chennai-9.
9. The Special Commissioner and
Commissioner of Land Administration, Land
Administration Department, II Floor,
Ezhilagam, Chepauk, Chennai-5.
10. The District Collector, Master Plan
Complex, District Collectorate,
Perambalur, Perambalur District
621 212.
11. The Director General of Police,
Dr. Radhakrishnan Salai, Mylapore,
Chennai-4.
12. The Inspector General of Registration,
Registration Department, No.100,
Santhome High Road, Chennai-28.
13. Tamil Nadu Industrial Development
Corporation Ltd., Rep. by its Chairman
and Managing Director, No.19-A, Rukmani
Lakshmipathy Road, Egmore, Chennai-8.
14. M/s. GVK Power and Infrastructure Ltd.,
15. M/s. GVK Perambalur SEZ P. Ltd
16. M/s. GVK Airport Developers Ltd.
17. M/s. Syndicate Bank, Corporate
Finance Branch, No.6-3-666,
I Floor, Lumbini Towers, Panjagutta,
Somajiguda, Hyderabad, Telegana-500 082.
18. M/s Housing Development Finance
Corporation Ltd, Regional Office, Plot
No.96, Prince Kushal Towers, Ground Floor
Anna Salai, Chennai-2.



19.M/s.Axis Bank, Regional Office,
No.82, Aalim Centre, Ground Floor,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.

.. Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 4th respondent to initiate appropriate legal proceedings against all the officials and all individual persons involved in the land scam pertaining to the Acquisition and Development of Multi Project Special Economic Zone at Perambalur District by investigating the petitioner's complaint/ Representation dated 31.3.2021 and proceed further in accordance with law and further direct the 7th respondent to recover/retrieve the private and public Lands so acquired.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.L.Infant Dinesh, Central
Government Standing Counsel
for R1 and R2

Mr.P.Muthukumar, State
Government Pleader for R5
to R12

Mr.M.Vijayan for M/s.King
and Patridge for R13

Mr.Satish Parasaran,
Senior Counsel for M/s.T.
Sai Krishnan for R14 to R16

Mr.AR.L.Sundaresan, SC for
Mr.N.Ravishankar
Vallatharasu for R18

Mr.R.Sreedhar for R19

R17- Not ready in notice

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

We have heard the learned counsel appearing for the
respective parties.



2. The writ petition has been filed to seek a direction on the fourth respondent to initiate appropriate legal proceedings against all the officials and all individual persons involved in the land scam pertaining to the Acquisition and Development of Multi Project Special Economic Zone at Perambalur District. It is by sending the matter for investigation on the petitioner's complaint/Representation dated 31.3.2021 and to direct the seventh respondent to recover/retrieve the private and public Lands so acquired.

3. When the learned counsel for the petitioner was asked as to under what provisions investigation pursuant to his complaint would be made if a first information report or a private complaint under Section 190 of the Criminal Procedure Code (for short, the Code) is not registered, he prayed for withdrawal of the writ petition with liberty to approach the police station concerned to register the first information report or to file a private complaint under Section 190 of the Code before the appropriate Court.

4. In view of the said submission, we dismiss the writ petition as withdrawn with liberty, as prayed for. It is made clear that dismissal of this writ petition shall not be taken adverse if the petitioner approaches the police for registration of the first information report or files a complaint under Section 190 of the Code. There will be no order as to costs.

Sd/-

Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

RS

To:

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2. The Secretary to Government,
Ministry of Commerce and Industry,
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4. The Secretary to State, Industries
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- 13.M/s.Axis Bank, Regional Office,
No.82, Aalim Centre, Ground Floor,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.



+1cc to M/s.J.Ashok, Advocate, S.R.No.3789

+1cc to M/s.King & Partridge, Advocate, S.R.No.3763

+1cc to M/s.T.Saikrishnan, Advocate, S.R.No.4112

+1cc to M/s.N.Ravi Shankar Vallatharasu, Advocate, S.R.No.3911

+1cc to M/s.L.Infant Dinesh, Advocate, S.R.No.3807

+1cc to the Government Pleader, S.R.No.4052

W.P.No.16616 of 2021

RLD (CO)
SU (28/01/2022)