



W.P.No.31914 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.31914 of 2022

S.V.Kesavan

...Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep.by its Secretary,
Department of Industries Department ,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
Collectorate,
Kancheepuram.

3.The Chairman and Managing Director,
State Industries Promotion
Corporation of Tamil Nadu (SIPCOT)
No.19A, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

4.The Special Tahsildar,
Land Acquisition,
Unit IV,
SIPCOT Industrial Park Scheme,
Pillaipakkam, Irugattukottai, Sriperumbudur Taluk,
Kancheepuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.02.2018 and 16.06.2022 seeking exemption/withdrawal of the land acquisition proceedings initiated against



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petitioner's land in Survey No.366/2 of Thirumangalam Village,
Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.M.Chandru

For Respondents : Mr.G.Sureshkumar
Standing Counsel for R3
: Mr.K.Karthik Jayanth
Government Advocate for R1, R2 & R4.

ORDER

The petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 19.02.2018 and 16.06.2022 seeking exemption/withdrawal of the land acquisition proceedings initiated against petitioner's land in Survey No.366/2 of Thirumangalam Village, Sriperumbudur Taluk, Kancheepuram District.

2. It is the case of the petitioner that the petitioner is the absolute owner of the land comprised in Survey No.366/2 ad-measuring an extent of 0.19 Acres situated at Thirumangalam Village, Sriperumbudur Taluk, Kancheepuram District and he is possession and enjoyment of the property. Such being the situation, the petitioner's land was acquired by the respondents by urgency clause under the Land Acquisition Act for industrial purpose vide G.O. Dated 11.10.1999. Challenging the said GO, the petitioner has filed a writ petition before this Court in W.P.no.37268 of 2007 and the



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was disposed of with a direction to the respondents to consider the petitioners request and pass orders on the same. However, the respondents, without considering the order, keep the proceedings pending. Therefore, the petitioner made a fresh representation to the respondents on 19.02.2018 to exempt/withdraw the land acquisition proceedings pending on his land. However, no effective action is taken by the respondents and hence, the petitioner has filed the present writ petition before this Court seeking an appropriate remedy.

3. Heard the learned counsel for the petitioner as well as the learned Addl. Government Pleader for the respondent and perused the materials available on record.

4. Learned counsel for the petitioner submitted that this Court may issue a direction to the 4th respondent to consider the petitioners representation 19.02.2018 and pass appropriate orders within the stipulated time as fixed by this Court.

5. The learned Government Advocate submitted that the petitioner's representation will be considered and an appropriate orders will be passed on



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merits within the stipulated time as fixed by this Court.

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6. Considering the facts and circumstances of the case and in view of the limited request made by the petitioner, this Court directs the 4th respondent to consider the petitioner's representation dated 19.02.2018 and 16.06.2022 and pass appropriate orders on merits and in accordance with law, after providing opportunity to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

30.11.2022

Index : Yes / No

Speaking order : Yes / No

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To

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M.DHANDAPANI, J.
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