



W.P(MD)No.27510 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27510 of 2022

and

W.M.P.(MD)No.21605 & 21606 of 2022

1.A.M.Rajendran

2.R.Saronjini

3.M.R.Muthu Kubendran

... Petitioners

Vs.

1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Industrial Department,
Fort St.George, Secretariat,
Chennai-600 009.

2.The District Collector,
Theni District, Theni.

3.The District Revenue Officer / Land Acquiring Officer (SIPCOT),
Theni District, Theni.

4.The Special Tahsildar,
SIPCOT (Land Acquisition),
Theni.

5.The Tahsildar,
Theni, Theni District.



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6.State Industries Promotion Corporation of
Tamil Nadu Ltd., (SIPCOT),
Rep. by its Chairman,
No.19-A, Rumani Lakshmipathy Road,
Egmore, Chennai-600 008.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 3rd Respondent in Na.Ka.No.6/2021/SIPCOT, dated 25.08.2022 quash the same and consequently direct the respondents to convey the Government land in exchange of the land acquired from the petitioners under S.Nos.12/5 and 64/2 to an extent of 1 acre 45 cents in Thappukundu and Poomalaikundu Villages, Upparpatti Post, Theni Taluk and District in the light of Revenue Standing Order Nos.90 and 26A and G.O.Ms.No.201, Revenue and Disaster Management Department, Land Disposal Wing, LD3(1) Section, dated 10.05.2022.

For Petitioner : Mrs.J.Padmavathi Devi

For Respondents : Mr.B.Saravanan
Additional Government Pleader for R1 to R5

: Mr.M.Gangatharan for R6

ORDER

Heard the learned counsel on either side.

2. The petitioners' land were acquired under the provisions of the Tamil Nadu Land Acquisition for industrial purposes Act, 1997. The petitioners insist that instead of giving monetary compensation, they could be given lands in



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exchange. Their request was rejected by the impugned order dated 25.08.2022.

Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioners reiterated all the contentions set out in the affidavit filed in support of the writ petition and she places particular emphasis on G.O.Ms.No.201, Revenue and Disaster Management, dated 10.05.2022. She called upon this Court to grant relief as prayed for.

4. I am not persuaded by the submission advanced by the learned counsel appearing for the petitioners. As rightly pointed out by the learned counsel for SIPCOT, when the petitioners' land have been acquired under the Tamil Nadu Act 10 of 1999, the question of giving lands in exchange to the petitioners will not all arise. The only remedy open to the petitioners is to obtain appropriate compensation. As regards the contention based on G.O.Ms.No.201, Revenue and Disaster Management, dated 10.05.2022, it is obvious that this G.O does not advance the case of the petitioners in any manner. G.O.Ms.No.201, Revenue and Disaster Management, dated 10.05.2022 is self explanatory. The revenue standing orders provided for exchange of lands. In order to streamline the relevant procedures, the aforesaid G.O came to be issued. The said G.O is



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not relevant whatsoever to a case of acquisition of lands. I do not find any ground to interfere.

5. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

19.12.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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