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W.P.No.9697 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.P.No.9697 of 2015
and M.P.No.1 of 2015

- 1.G.Sarojini
- 2.P.Sampath Kumar
- 3.K.Mallika Arjunan
- 4.S.Sankaralingam
- 5.S.Murthi
- 6.S.Kumar
- 7.K.Gowri Bai
- 8.R.Radha
- 9.S.Vijayalakshmi
- 10.M.Rukmani
- 11.Umadevi
- 12.R.Malarvizhi

(All the petitioners are represented by
their Power Agent A.Arumainayagam)

... Petitioners

Vs.



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1.The State represented by
The Secretary to Government
Industries Department
Fort St. George, Chennai - 9

2.The Special Tahsildar
Aromatic Complex
Genis Salai, Saidapet
Chennai - 15

3.The Chennai Petroleum Corporation Limited
Represented by its Managing Director
Teynampet, Chennai - 18

4.The Special Commissioner and
Commissioner of Land Administration
Chepauk, Chennai - 5

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to re-convey the lands in the property situated in Survey Nos.174/1B measuring an extent of 2400 sq. ft, S.No.174/1B measuring an extent of 2400 sq. ft. S.No.174/1B, measuring an extent of 2400 sq. ft. S.No.174/1B measuring an extent of 2400 sq. ft. S.No.174/1B measuring an extent of 2400 sq. ft. S.No.142 measuring an extent of 1977 sq. ft. S.No.142 measuring an extent 1912 sq. ft. S.No.142 measuring an extent of 1937 sq. ft. S.No.142 measuring an extent of 1904 sq. ft. S.No.174/1B3C measuring an extent of 2415 sq. ft and in S.No.174/1B3B measuring an extent of 20 cents in Mathur Village, Ambattur Taluk, Tiruvallur



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District, totally measuring an extent of 22145 sq. ft. and 20 cents.

For Petitioners : Mr.T.Vijay

For Respondents : Mr.P.Gurunathan
Additional Govt. Pleader - R1, R2 & R4

Mr.S.Arjun Suresh
for Dua Associates - R3

ORDER

The writ petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to re-convey the lands in the property situated in Survey Nos.174/1B, measuring an extent of 2400 sq. ft., S.No.174/1B, measuring an extent of 2400 sq. ft., S.No.174/1B, measuring an extent of 2400 sq. ft., S.No.174/1B measuring an extent of 2400 sq. ft. S.No.174/1B measuring an extent of 2400 sq. ft., S.No.142 measuring an extent of 1977 sq. ft., S.No.142 measuring an extent 1912 sq. ft., S.No.142 measuring an extent of 1937 sq. ft., S.No.142 measuring an extent of 1904 sq. ft., S.No.174/1B3C measuring an extent of 2415 sq. ft and in S.No.174/1B3B, measuring an extent of 20 cents in Mathur Village, Ambattur Taluk, Tiruvallur District, totally measuring an extent of 22145 sq. ft. and 20 cents.



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2. Learned counsel for the petitioners submitted that the lands were acquired from the petitioners for the location of Aromatic complex and for other downstream projects. Subsequently after the acquisition, they have not utilised the acquired lands for the said purpose for which it was acquired. It is therefore submitted that the petitioners are entitled to get back their lands by way of re-conveyance and thereby they have made several representations to the respondents, but the same was yet to be considered by them. Therefore the petitioners are before this Court.

3.Mr.P.Gurunathan, the learned Additional Government Pleader has taken notice for the respondents 1, 2 and 4. Mr.S.Arjun Suresh, the learned counsel for Dua Associates has taken notice for the 3rd respondent.

4.Learned Additional Government Pleader submitted that due to inevitable circumstances, the lands could not be utilized for the above said purpose, but the respondents have already handed over the acquired lands to M/s.Chennai Petroleum Corporation Limited for rehabilitation purpose. In this, an extent 11.26 acres of lands have already been developed into house-sites and allotted to 202



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families and they have occupied by constructing houses and are residing in the said plots. Another 100 families are to be selected and allotted with house-sites.

In the remaining 21.30 acres, the Chennai Petroleum Corporation has proposed to put up a Township for the employees who are to be essentially to live close to the site for efficiency of the plant and to meet emergency situation immediately and the same is under process for the approval of the Government under the Land Acquisition Act. The Tamil Nadu Electricity Board has proposed to set up substation of 400 KV in that area. Therefore, the petitioners are not entitled for the re-conveyance of their lands.

5.It is admitted that the lands which were the subject matter of this writ petition, same were acquired by the respondents for the location of Aromatic complex and for other downstream projects. It is also an admitted fact that for some reasons, they could not establish the same and therefore, now the lands have been allotted for rehabilitation, CPCL and also to TNEB and the lands are not kept for the private sale or it is kept as vacant as a waste land. Therefore, under these circumstances, the petitioners are not entitled for the relief sought for. Once the respondents have expressed their views regarding allotment in the



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counter, there is no point of giving direction to them for consideration.

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6.This writ petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

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Index : yes / no
Neutral citation

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P.VELMURUGAN, J.

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