



W.P.No.22485 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **07.12.2023**

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.22485 of 2014
and
W.M.P. No. 1 of 2014

G.Thirunavukkarasu

... Petitioner

Versus

1. Government of Tamil Nadu
Represented by its Secretary to Government,
Industrial Department, Secretariat,
Fort George, Chennai – 600 009.
2. The District Collector
Kancheepuram District,
Kancheepuram.
3. The Special Tashildar, (Land Acquisition),
SIPCOT Irunkattu Kottai Expansion Scheme – Phase-2,
Sriperumbudur.
4. Mrs. Jamuna Mohan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorified Mandamus, to call for the records relating to Na. Ka. Ma. Pa. No.299 of 2008 dated 27.03.2013 and quash the same and consequently direct the first respondent to refer the matter to the Competent Court.



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For Petitioner : Mr. R. Karunagaran

For Respondents : Mr. V. Veluchamy, AGP (for R1 & R3)

No appearance (for R4)

ORDER

When the matter came up for hearing on 10.11.2023, this Court directed the learned Additional Government Pleader for respondents Nos.1 to 3, to produce the relevant documents and the case was adjourned to 07.12.2023 (i.e., today).

2. Today, when the matter is taken up for hearing respondents 1 to 3 have not produced any of the documents as directed by this Court earlier. The impugned order itself would clearly show that there is a title dispute between the parties. Once it is a case of title dispute, it is for the respondents to have referred the matter to the Civil Court concerned and the issue has to be decided and orders have to be passed only by the competent Civil Court.

3. In view of the above, the impugned order dated 27.03.2013 passed by the third respondent is set aside, and the third respondent is



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directed to refer the matter to the Civil Court/Land Acquisition Tribunal, within a period of one month from the date of receipt of receipt of a copy of this order. After taking the case on file, the competent Civil Court is directed to dispose of the matter, within a period of one month, thereafter. The third respondent is also directed to deposit the amount before the competent Civil Court, within a period of one month from the date of receipt of a copy of this order. On such deposit, the petitioner is at liberty to work out the remedy in a manner known to law.

4. With the above directions, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

07.12.2023

Index : Yes/No
Speaking / Non-Speaking order
Neutral Citation : Yes/No

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To:

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- 1.The Secretary to Government,
Government of Tamil Nadu
Industrial Department, Secretariat,
Fort George, Chennai – 600 009
- 2.The District Collector
Kancheepuram District,
Kancheepuram
- 3.The Special Tashildar, (Land Acquisition),
SIPCOT Irunkattu Kottai Expansion Scheme Phase 2,
Sriperumbudur.



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P. VELMURUGAN, J.

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