



W.P.(MD) No.825 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2023

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.825 of 2020
and
W.M.P.(MD) No.607 of 2020**

1.S.Lakshmi Prabha

2.Dhamodharan

... Petitioners

/vs./

1.The Principal Secretary to Government,
Industries Department,
Secretariat,
Fort St.George,
Chennai.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

4.The Special District Revenue Officer (L.A),
Sipcot Office,



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Virudhunagar District,
Station at Sattur.

5.The Revenue Divisional Officer (L.A),
Sipcot Industrial Park Unit 4,
E.Kumaralingapuram Village,
Sattur,
Virudhunagar District.

6.The Special Tahsildar,
Sipcot Industrial Park Unit 4,
E.Kumaralingapuram Village,
Sattur,
Virudhunagar District.

7.The Chief Divisional Retail Sales Manager,
Indian Oil Corporation Ltd.,
Madurai Divisional Officer,
No.2, Race Course Road,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent bearing No.Na.Ka.Ni.E2/2015 dated 18.12.2019 and quash the same consequently direct the respondents to consider the exclusion of 2nd petitioner's lands from acquisition in Survey No.238/4 at E.Mumaralingapuram Village, Sattur in Virudhunagar District for the purpose of establishing petrol products retail outlet.

For Petitioners : Mr.S.Siva Ilayaraja



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For R1 to R3 : Mr.J.John Rajadurai
Government Advocate
For R4 to R6 : Mr.Gangatharan
Standing Counsel
For R7 : Mr.K.Muraleedharan

ORDER

The writ petition is filed challenging the rejection of the petitioners' request to exclude their lands from the acquisition.

2.The report regarding the unutilized extent has been produced today which shows that an extent of 607.32.5 hectare remains unutilized.

3.Considering the fact that the lands have been acquired and there remains an unutilized portion, the petitioners can be allotted equivalent/proportionate lands in the unutilized area. A representation in this regard shall be made within a period of two weeks from the date of receipt of a copy of this order and the same shall be considered and orders passed by the respondent concerned within a period of six weeks thereafter. It is needless to state that the Corporation would consider the request in the light of the fact that an extent of 607.32.5 hectare still remains unutilized. This order is passed with the consent of all the parties.



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4. With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

28.06.2023

To

1. The Principal Secretary to Government,
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Chennai.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

3. The District Revenue Officer,
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P.T.ASHA, J.

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