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W.P. No.2102 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.2102 of 2024 and

W.M.P. Nos.2249 and 2250 of 2024

Vijay Kumar

... Petitioner

Vs.

1. The Government of Tamil Nadu

Rep. by Principal Secretary to the Government

Department of Industries

Rajaji Salai

Chennai - 600 001

2. The District Collector

Villupuram District

Villupuram - 605 602

3. The Special Tahsildar

(Land Acquisition)

SIPCOT, Unit-II

Tindivanam - 604 001

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records



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with respect to the proceedings on the file of the 1st respondent in G.O.No.34 Industries (SIPCOT-LA) dated 05.03.2013 with respect to Unit-11, Block-11, Survey Numbers 10/1A1, 10/2A1, Villupuram District, Tindivanam Taluk, Pellakuppam Village and quash the same as illegal incompetent and without jurisdiction and further direct the 2nd and 3rd respondents to remove the roads laid on the survey numbers of the petitioners or alternatively provide compensation in accordance with the Land Acquisition Rehabilitation and Resettlement Act 2013 (Tamil Nadu Amendment Act 2014).

For Petitioner : Mr.Sai Krishnan
for Ms.V.Srimathi
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Certiorarified Mandamus to call for the records with respect to the proceedings on the file of the 1st respondent in G.O.No.34 Industries (SIPCOT-LA) dated 05.03.2013 with respect to Unit-11, Block-11, Survey Numbers 10/1A1, 10/2A1, Villupuram District, Tindivanam Taluk, Pellakuppam Village and



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quash the same as illegal, incompetent and without jurisdiction and further direct the 2nd and 3rd respondents to remove the roads laid on the survey numbers of the petitioners or alternatively provide compensation in accordance with the Land Acquisition Rehabilitation and Resettlement Act 2013 (Tamil Nadu Amendment Act 2014).

2. The learned counsel for the petitioner submitted that already, one of the land owners filed a Writ Petition in W.P.No.24292 of 2014 challenging the said Government Order in G.O.Ms.No.34 Industries (SIPCOT-LA) dated 05.03.2013 and this Court by order dated 14.06.2022, quashed the said Government Order. The contention of the petitioner is that, the petitioner's land was also acquired by the respondents under the very same Government Order. Even after lapse of 10 years from the date of G.O. and even though this Court had granted liberty to the respondents to acquire land afresh, so far, they have not taken any steps. Hence, the present Writ Petition is filed.

3. The respondents have filed Counter.



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4. The learned Additional Government Pleader appearing for the respondents submitted that after passing of the order in W.P.No.24292 of 2014 dated 14.06.2022, the respondents have also taken steps to acquire lands afresh and the Writ Petitioner was also served with a fresh notice under Section 3 (2) of the Tamil Nadu Land Acquisition for Industrial Purpose Act, 1997 on 05.01.2024 calling for his objections with regard to why the petitioner's land should not be acquired. Therefore, the petitioner is not entitled for the relief sought for.

5. It is seen that this Court while quashing the said G.O., had given liberty to the respondents to acquire land if so advised and accordingly, the respondent have also initiated fresh proceedings and notice has also been served to the writ petitioner calling for his objections.

6. Under these circumstances, the Writ Petitioner is not entitled to the relief sought for. The respondents are at liberty to proceed further in accordance with law.



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7. Accordingly, this Writ Petition is dismissed. Consequently,

connected Miscellaneous Petitions are closed. There shall be no order as to costs.

01.03.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To

1. The Principal Secretary to the Government

Department of Industries

Rajaji Salai

Chennai - 600 001

2. The District Collector

Villupuram District

Villupuram - 605 602

3. The Special Tahsildar

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P.VELMURUGAN. J.

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