



W.P.No.2551 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.2551 of 2024

and

W.M.P.No.2795 of 2024

1 M/s. Hi-Tech Arai Private Ltd,
Rep. by its The Senior Manager Admin/HR and PR
Mr. V.Shanmuga Sundaram,
S/o. S. Vallinayagam,
No. 33, Sarojini Street
Chinna Chookikulam,
Madurai.

... Petitioner

Vs.

- 1 The State of Tamilnadu,
Rep. by its Secretary Urban Development Department,
Fort St. George, Chennai.
- 2 The Commissioner of Land Reforms,
Tamil nadu Bhoodan Board,
Ezhilagam, Chennai.
- 3 The Director of Land Reforms,
Tamil nadu Bhoodan Board,
O/O. The Director of Land Reforms,
Ezhilagam, Chennai - 600 005.
- 4 The Special Officer,



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Tamil nadu Bhoodan Board,
Chennai - 600 015.

5 The District Collector
Tiruppur, Tiruppur District.

6 The Tahsildar
Palladam, Tiruppur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th respondent to conduct an enquiry and pass final orders in view of detailed explanations submitted by the petitioner company dated 25.2.2022 in reply to the summon issued dated 16.02.2022 vide proceedings in Na.Ka.No. 786/2022/A3 on the file of 6th respondent.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the sixth respondent to conduct an enquiry and pass final orders in view of detailed explanations submitted by the petitioner company dated 25.2.2022 in reply to the summon issued dated 16.02.2022 vide proceedings in Na.Ka.No. 786/2022/A3 on the file of sixth respondent.



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2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the subject property. The sixth respondent issued enquiry notice on 16.02.2022, calling upon the petitioner to appear for enquiry and the substance of the enquiry is that the second respondent made a claim over the portion of the petitioner's property stating that it was donated to Bhoomidhana Board. Though summon has been issued to the petitioner on 16.02.2022, no enquiry has been conducted by the sixth respondent till now. Hence the present writ petition.

4. Learned Additional Government Pleader appearing for the respondents submitted that the land in question belongs to Boomidhana Board and no final order has been passed by the respondents with regard to the petitioner's representation.



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5. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents to issue notice to the petitioner, Boomidhana Board/rival claimants/interested parties/objectors and adjacent land owners of the four boundaries of the subject land as the case may be and after issuing notice to all the parties, conduct enquiry in the manner known to law and pass appropriate orders on merits and in accordance with law. The respondents are being very careful while conducting enquiry and if the land belongs to Boomidhana Board, they have to reject the petitioner's representation.

6. With the abovesaid direction, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

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