



W.P.No.5786 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.5786 of 2020

J.Rafika Begum

...Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Department of Industries,
Rep. by its Secretary,
Fort St. George, Chennai.
- 2.The General Manager – I,
State Industries Promotion Corporation of Tamilnadu (SIPCOT),
19-A, Rukamani Lakshmipathi Road,
Post Box No.7213,
Egmore, Chennai – 600 008.
- 3.The Project Officer,
SIPCOT Industrial Park,
Irunkattukottai – 602 117.
- 4.The Special District Revenue Officer (LA),
SIPCOT Irunkattukottai Expansion (Pillaikpakkam) Scheme,
Kundrathur Main Road,
Sriperumbudur.
- 5.SIPCOT Pillaipakkam Project Officer,
Kundrathur Main Road,
Sriperumbudur.
- 6.The District Collector,



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Kancheepuram.

...Respondents

WEB C ** R6 suo motu impleaded vide order dated 29.09.2020 made in W.P.No.5786 of 2020

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to enter into a private negotiation with the petitioner for acquiring the petitioner's land in S.No.743/1 measuring an extent of one acre situated at Katrampakkam Village, Sriperumbudur Taluk, Chengai Anna District and pass such further orders.

For Petitioner : Mr.I.Abrar MD Abdullah

For R1, R4 & R6 : Mr.M.Jayanthi,
Additional Government Pleader

For R2, R3 & R5 : Mr.Ramesh Venkatachalapathi,
Standing Counsel

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents to enter into a private negotiation with the petitioner for acquiring the petitioner's land in S.No.743/1 measuring an extent of one acre situated at Katrampakkam Village, Sriperumbudur Taluk, Chengai Anna District.

2. Learned standing counsel appearing for respondents 2, 3 and 5



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submitted a proceedings of the District Collector, Kancheepuram, vide R.C.No.32/2020 dated 30.12.2020 wherein the enquiry has been conducted in regard to providing pathway to the writ petitioner and the relevant portion is extracted hereunder:

“On hearing upon both sides, verification of the document carefully perused, and order issued as detailed below.

The Managing Director, SIPCOT has agreed to provide access to the petitioner's land subject to the payment of track rent as per the prevailing policy of SIPCOT. Accordingly, the writ petitioner is directed to pay track rent to the SIPCOT authorities, as per the prevailing policy of SIPCOT to enable them to provide access to the petitioner's land as agreed upon by the SIPCOT authorities.”

3. Thereafter, the Managing Director, SIPCOT, has written a letter to the Deputy Secretary to the Government, Industries, Investment Promotion and Commerce (MIG.1) Department, Secretariat, Chennai – 600 009, vide Lr.No.P-I/Iru/Rafika Begum 257/202-2 dated 23.09.2022, wherein it is stated as follows:

“With reference to the above, it is informed SIPCOT has permitted vide reference 1 cited, Tmt. Rafika Begum for usage of SIPCOT Road subject to remittance of track rent i.e. One time Service charges of Rs.8.19 lakhs and Annual



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Service charges of Rs.1.08 lakhs within 90 days from the date of receipt of letter, apart from the maintenance charges on par with the allottees of SIPCOT with certain conditions.

Also, SIPCOT has directed (16.4.2021), the Project Officer, SIPCOT, Irungattukottai to lay approach road measuring 85.5m length & 7 m width through the existing OSR (CP-8) lands, connecting to 20 m scheme (as reported by the P.O. near the petitioner Tmt. Rafika Begum land for their easy assessing at the earliest. Accordingly, the Project Officer, SIPCOT, Irungattukottai has informed vide his letter / e.mail dt. 28.8.2021 & 31.8.2021 has informed that he has completed laying of the approach BT road to Tmt. Rafika Begum and enclosed the photograph.

Further, it is submitted that Tmt. Rafika Begum has paid one time Service charges of Rs.8.19 lakhs alone and not made the Annual Service charges of Rs.1.08 lakhs and the Maintenance charges till now. Further, the P.O. has informed that Tmt.J.Rafika Begum in her letter dt. 26.7.2022 (copy enclosed) has requested gestation period of 5 years for remittance of Annual Service charges of Rs.1.08 lakhs and Maintancne charges of Rs. 1500/- per month, as the said land still remains a dry vacant land with no utilization of income therefrom.”

Hence, we have informed (23.9.2022) our inability to consider the request of Tmt.J.Rafika Begum and requested



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her to remit the Annual Service charges of Rs.1.08 lakhs and monthly Maintenance charges along with GST @ 18% with applicable interest till date of remittance.

4. Pursuant to the above letter, the petitioner remitted a sum of Rs.8.19 lakhs as required by the SIPCOT and also remitted a sum of Rs.1,52,112/- towards annual service charges to the SIPCOT vide Receipt No.POIR2022RCPT2326 dated 19.10.2022. Hence, nothing survives in this writ petition for further adjudication.

Accordingly, the **writ petition stands closed**. No costs.

18.07.2024

cda
Index : Yes/No
Speaking / Non Speaking Order

J.SATHYA NARAYANA PRASAD, J.

cda

To



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