



WEB COPY



WP.No.11290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11290 of 2024

G.Chennaveerappa

.. Petitioner

Versus

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Industries Department (SIPCOT),
Secretariat, St. George Fort,
Chennai 600 009.
2. The State Industries Promotion
Corporation of Tamil Nadu (SIPCOT),
Rep. By its Managing Director,
No.19A, Rukmani Lakshmipathy Salai,
Egmore, Chennai 600 008.
3. The District Collector,
District Collectorate,
Krishnagiri 635 115.
4. The Special District Revenue Officer (L.A.),
SIPCOT Phase III & XIV,
Door No.1/165/3, Rajaji Nagar,
5th Cross, Royakottai Main Road,
Krishnagiri District.
5. The Special Tahsildar (L.A.)
SIPCOT Phase III, (Unit -II)
Shoolagiri Taluk,
Krishnagiri District.

.. Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent herein to consider the petitioner's representation dated 22.02.2024 and drop the land acquisition proceedings initiated vide summon having Ref. No.Na.Ka.64/2020/Tha.Ma.Varu.A./Ki.Giri dated 16.08.2021 within a time frame fixed by this Court.

For Petitioner : Mr.R.Bharath Kumar
For R1, 3 to 5 : Mr.P.Sathish
Additional Government Pleader
For R2 : Mr.Abhishek Murthy

ORDER

By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a direction to the third respondent to consider the petitioner's representation dated 22.02.2024 and drop the land acquisition proceedings initiated vide summon having Ref. No.Na.Ka.64/2020/Tha.Ma.Varu.A./Ki.Giri dated 16.08.2021 within a time frame fixed by this Court.

3. It is the case of the petitioner that he has purchased 0.50 Acres of land in Survey No.179/10 situated at Nallaganakothapalli Village, Shoolagiri Taluk,



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Krishnagiri District vide Sale Deed dated 05.12.2014 bearing Document No.5173 of 2014 registered on the file of the Sub-Registrar Office, Shoolagiri and was in peaceful possession and enjoyment of the same. Subsequently, he converted the lands into 13 residential plots as unapproved layout and conveyed to some third parties. Pursuant to the application made by the petitioner before the Deputy Director of Town and Country Planning, Dharmapuri, his lands were approved by an order dated 23.10.2019 and DTCP approval number vide Ma.Va.(Va.Mu)/Na.Vu.Thu.E(Thama) No.228/2019 was allotted.

4. While so, the Block Development Officer (BDO), Shoolagiri sent a communication to the petitioner to gift lands for the purpose of public road and park in the name of the Governor and directed to make payment to the Government for regularization and welfare fee towards village panchayat. After complying the conditions imposed for grant of layout approval by the Government, the approved lay out, plan, sketch was issued to the petitioner. But the petitioner was summoned on 16.08.2021 stating that lands having an extent of 106.76.0 Hectares in various survey numbers in Nallaganakothapalli village were proposed to be acquired for the purpose of setting up the Hosur SIPCOT Industrial Complex (Phase III). Though the petitioner and other



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private patta land holders attended the enquiry on 28.02.201 and raised their objection for acquisition, no steps were taken. Hence, the petitioner sent a representation dated 22.02.2024 to the third respondent to drop the land acquisition process. However, the same has not been considered by the third respondent. Hence, the present Writ Petition.

5. Heard learned counsel for the petitioner, the learned Additional Government Pleader appearing for the respondents 1, 3 to 5 as well as the learned counsel for the 2nd respondent and perused the materials available on record.

6. This Court is of the view that once already the proceedings are initiated for acquisition of lands for the purpose of setting up the Hosur SIPCOT Industrial Complex (phase III) and if the petitioner is aggrieved by the same acquisition, he has to challenge the said order. Mere direction to consider the representation will not serve any purpose. Hence, the Writ Petition is dismissed. No costs.

26.04.2024

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Index : Yes/No

Internet : Yes/No

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N. SATHISH KUMAR, J.

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