



WEB COPY

W.P.No.27850 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.27850 of 2019

and

W.M.P.No.27402 of 2019

1.Mr.P.Ranganathan

2.Mrs.Muniyammal

... Petitioners

Vs.

- 1.State of Tamil Nadu,
Rep. by its Secretary,
Department of Industries,
Fort St. George, Chennai – 600 009.
- 2.The District Collector,
Kancheepuram District.
- 3.The Special Tahsildar (LA),
SIPCOT, Sriperumbudur-Irungattukottai Scheme,
Irungattukottai, Pillaipakkam,
Sriperumbudur Taluk.
- 4.The Managing Director,
The State Industries Promotion
Corporation of Tamil Nadu Ltd. (SIPCOT),



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Having Office at No.19-A,
Rukmani Lakshmipathy Road,
Post Box No.7223, Egmore,
Chennai – 600 008.

... Respondents

[R4 impleaded vide order dated 03.09.2020 made
in WMP.No.14481/2020 in WP.No.27850/2019]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the entire records in connection with the impugned G.O.(Ms).No.120, Industries (SIPCOT-LA) dated 22.08.2014 of the 1st respondent published in the Tamil Nadu Government Gazette on 22.08.2014 and quash the same.

For Petitioners	: Mr.S.M.Loganathan
For R1 to R3	: Mr.P.Sathish Additional Government Pleader
For R4	: Mr.Ramesh Venkatachalapathy

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The writ petition has been instituted challenging the G.O.Ms.No.120, Industries (SIPCOT-LA) dated 22.08.2014.



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2. It is not in dispute that Section 3(1) Notification under Tamil Nadu Acquisition of Land for Industries Purposes Act, 1997 issued on 22.08.2014. The said notification is under challenge in the present writ petition.

3. Learned counsel for the petitioners would submit that the procedures as contemplated under the Act were not followed and no opportunity was afforded to the writ petitioners to submit their objections as required under the Act. Thus, the petitioners have chosen to file the writ petition.

4. The learned Additional Government Pleader appearing on behalf of the respondents 1 to 3 would oppose by stating that the procedures as contemplated under the Act had been followed. All the adjacent lands were acquired, and compensation quantified was settled in favour of the land owners. The subject land belongs to the petitioners is landlocked now and therefore, they cannot use the land in an independent manner. Further the patta has already been transferred in the name of SIPCOT and the SIPCOT has initiated action to develop industrial parks.



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5. Therefore, we are not inclined to interfere with the process of acquisition. However, considering the lapse of time, we are inclined to give one more opportunity to the writ petitioners to submit their objections, which is to be considered on merits by the authorities.

6. Accordingly, the writ petitioners are at liberty to submit their objections along with the documents, if any within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of any such objections from the petitioners, the respondents shall consider the same and take a decision and communicate the same to the petitioners and thereafter pass an award under the provisions of the Act. After passing of the award, if the land owners are aggrieved, they are at liberty to file an application seeking enhancement of compensation or otherwise.



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7. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S., J.] [C.K., J.]
25.06.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The Secretary,
State of Tamil Nadu,
Department of Industries,
Fort St. George, Chennai – 600 009.
- 2.The District Collector,
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- 3.The Special Tahsildar (LA),
SIPCOT, Sriperumbudur-Irungattukottai Scheme,
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