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C.R.P.(PD)No.4985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD)Nos.4985 of 2024 and 4890 of 2024

K.Vimal Kumar

..

Petitioner in both
C.R.P.'s

Versus

1. The Special Tahsildar (Land Acquisition),
Irrungattukottai Scheme,
Sriperumbudur.

2. The Managing Director,
SIPCOT,
19-A Rukmani Lakshmipathi Road,
Egmore, Chennai- 600 008. ..

Respondents in both
C.R.P.'s

Civil Revision Petitions are filed under Article 227 of the Constitution of India, seeking direction directing the Hon'ble Subordinate Court, Kanchipuram for reconstruction of the case bundles in L.A.O.P.Nos.136/2002 and 149 of 2002 as were pending on the file of Sub Court, Poonamallee.

For Petitioner : Mr.V.K.Bhuvaneshwar
(in both W.P.'s)
For Respondents : Mr.N.Muthuvel
(in both W.P.'s) Government Advocate



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COMMON ORDER

Since the issue involved and relief sought for in these petitions are one and the same, they are taken up together and disposed of vide common order.

2. These two civil revision petitions seek to direct the learned Subordinate Judge, Kancheepuram to reconstruct the L.A.O.P.Nos.136 and 149 of 2002, as they were numbered before the learned Subordinate Judge at Poonamallee.

3. These matters relate to acquisition of properties for the purpose of development of SIPCOT, in Irrugattkottai village in Sriperumbudur Taluk. As there was a dispute as regards the valuation of the property, the Special Tahsildar (Land Acquisition), Irrungattukottai Scheme, Sriperumbudur, the 1st respondent herein, referred the matter to the Subordinate Court at Poonamallee for the purpose of answering the reference under Section 18 of the Land Acquisition Act, 1984 (in short 'the Act'). The papers had been received by the learned Subordinate Judge, Poonamallee and numbered as I.A.Nos.138 and 149 of 2002.

4. Subsequently, on account of the bifurcation of territorial jurisdiction, the L.A.O.P's stood transferred to the file of Subordinate Court at



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Kancheepuram. Due to the circumstances beyond the control of the Court, the papers were misplaced. Hence, petitions were filed by the civil revision petitioner before the Subordinate Court, Kancheepuram seeking for reconstruction of papers. The Court did not accede to the same. Hence, these civil revision petitions.

5. When the revisions came up for admission, I directed the learned Government Advocate to get instructions from the Special Tahsildar, Land acquisition as to how long the authorities will require to reconstruct the papers and send the entire papers, which had been submitted by him to the Sub Court at Poonamallee to the file of Subordinate Court at Kancheepuram.

6. The learned Government Advocate, after getting instructions, reported that the said papers will be submitted along with the copy of this order to the Sub court, Kancheepuram within a period of **two weeks** from the date of receipt of a copy of this order.

7. A Land Acquisition Court gets the jurisdiction to try the reference when the same is submitted by the Collector under the Land Acquisition Act, to the Court . The Collector in this case is the 1st respondent. The files



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produced by the learned Government Advocate points out that the Tahsildar has submitted the Section 18 reference on 16.08.2002. He has produced the reference papers before this Court. It is on this basis that the two L.A.O.P.'s; came to be numbered by the Sub Court at Poonamallee. Records have been produced from the Office of the Tahsildar and no doubt can be entertained on their genuineness.

8. Therefore, there shall be a direction to the 1st respondent to submit the entire set of papers forwarded to Sub Court, Poonamallee to the Sub Court at Kancheepuram within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the learned Subordinate Judge at Kancheepuram shall receive them, reconstruct the papers, number the same and proceed with it in accordance with law.

These civil revision petitions are disposed of accordingly. No costs.

09.12.2024

Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No
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To

1. The Subordinate Court, Kancheepuram.
2. The Subordinate Court, Poonamallee.



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LAKSHMINARAYANAN, J

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