



Writ Petition No.8403 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.8403 of 2025

and

W.M.P.No.9416 of 2025

1. P.G.Gurukrishna
Son of P.J.Guruvappa,
No.6 Rathina Sabapathi Street, Old
Washermenpet, Chennai 600021.

Petitioner(s)

Vs

1. The Special Tahsildar
(Land Acquisition), Sipcot
Maanellore Phase III,
Thiruvallur District.

2.The Secretary to Government
Industries Department, Secretariat,
Chennai 600009.

3.The Managing Director
Sipcot, 19-A, Rukmani
Lakshmipathi Salai, Egmore,
Chennai 600008.

Respondent(s)

Writ Petition filed under Article 226 of the Constitution of
India seeking issuance of a Writ of Certiorari calling for the records



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comprised in the impugned notice passed by the first respondent dated 05.11.2024 in proceedings Na.Ka.No.99/2024/A1/SDRO/Thiruvallur, Madharpakkam and quash the same.

For Petitioner : Mr.B.Govindaprabu

For Respondents : Mr.A.Selvendran
Special Government Pleader
[R1 & R2]
Mr.Abishekmurthy,
Standing Counsel [R3]

ORDER

This writ petition has been filed challenging the impugned notice dated 05.11.2024 issued by the first respondent informing the petitioner that the compensation is being deposited in the court.

2. Heard Mr.B.Govindaprabu, learned counsel for petitioner, Mr.A.Selvendran, learned Special Government Pleader appearing for respondents 1 and 2 and Mr.Abishekmurthy, learned Standing Counsel appearing for third respondent.

3. When the matter came up for hearing on 14.03.2025, this Court passed the following order:

"Mr.A.Selvendran, learned Special Government Pleader, takes notice on behalf of respondents 1 and 2.

2. Mr.Abishek Murthy, learned Standing Counsel takes notice on behalf of the 3rd respondent.



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3.The main issue that has been raised by the learned counsel for the petitioner is that even without the publication made under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, the respondents are proceeding further to determine the compensation in this case. That apart, the petitioner also seeks for sometime to vacate the property on the ground that he is a cultivating tenant.

4. The learned Special Government Pleader shall take instructions on these two issues and report before this Court.

5. Post this case at the end of the motion list on 21.03.2025."

4. When the matter was taken up for hearing today, learned Additional Government Pleader submitted that the acquisition was made under Section 3(1) of the Tamil Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter referred to as 'the Act') and the notification published in the Tamil Nadu Gazette was produced wherein the name of the petitioner's mother is being reflected with respect to the subject property.

5. When the above order was brought to the notice of the learned counsel for the petitioner, the learned counsel submitted that no notice was issued under Section 3(2) of the Act. The original files were produced before this Court and it is seen that notice was in fact issued under Section 3(2) of the Act in the name of the petitioner's mother and



the petitioner's father.

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6. On being informed, learned counsel for petitioner submitted that the petitioner's father and mother died long before. Therefore, the notice itself is bad.

7. In the considered view of this Court, the notice will be issued in the name of the person found in the revenue records and if at all the petitioner is a cultivating tenant, the name of the petitioner should be reflected in the revenue records. In the absence of the same, the petitioner cannot be permitted to raise one ground after another when the very proceedings initiated after issuing notice under Sections 3(2) and 3(1) of the Act has not been put to challenge.

8. Learned Additional Government Pleader submitted that the respondents are willing to grant time to the petitioner to make the harvest and thereafter, to vacate the subject property.

9. In the light of the submissions made on either side, the respondents shall permit the petitioner to complete the harvest and



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thereafter, the land shall be taken possession in accordance with law.

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This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

24.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Special Tahsildar
(land Acquisition), Sipcot
Maanellore Phase III, Thiruvallur
District.

2. The Secretary To Government
Industries Department, Secretariat,
Chennai 600009.

3. The Managing Director
Sipcot, 19-A, Rukmani
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N.ANAND VENKATESH, J
gm



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