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WP No. 31483 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 31483 of 2025

and

WMP Nos. 35250 of 2025 and 35249 OF 2025

M/s. Arigaa Cranes Services Private
Limited,
Rep. by its Director, Sankarasekar,
Vallam, Vadagal, Sriperumbudur,
Chennai-602 105.

Petitioner

Vs

1. The Chairman And Managing
Director,
State Industries Promotion Corporation
of Tamil Nadu Limited (SIPCOT
Limited),
19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai-600 008.

2.The District Collector,
Kancheepuram District,
Kancheepuram-631 501.

3.The Special Tahsildar,
Land Acquisition,



Sriperumbudur Taluk,
Chennai-602 105.

4.Estate Officer,
Sipcot Industrial Park,
Vallam Vadagal,
Sriperumbudur,
Chennai-602 105.

Respondents

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, for
issuance of Writ of Certiorari to call for the records of the 4th respondent in
proceedings No.PO/ SIP-VV/ Arigaa/ 2025 dated 28.07.2025.

For Petitioner: Mr.V.K.Sathiamurthy

For Respondents: Mr. P.Sathish
Additional Government.Pleader
(For R2 and R3).
Mr. Abishek Murthy
Standing Counsel (R1 and R4).

ORDER

This Writ Petition has been filed challenging the order of the 4th
respondent dated 28.07.2025.



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2. The facts in nutshell, placed before this Court by the petitioner, are as follows:

(i) The petitioner purchased the subject property in the year 2011 and the same was registered vide Sale Deed No.2675/2011 dated 16.03.2011. Thereafter, the petitioner obtained patta in his favour on 24.08.2011. Subsequently, the petitioner approached the Government of Tamil Nadu for issuance of licence to run a industry and the same was issued by General Manager, District Industries Centre, Kancheepuram. Ever since the petitioner obtained permission from Department of Industries and Commerce to run an industrial unit in the subject land, the petitioner have been in occupation and possession from the date of purchase i.e., 16.03.2011, till date and running his licensed industrial unit.

(ii) It is further stated that though the land in question claimed to have been acquired as early as in the year 2010 for setting up an industrial complex by the Government vide G.O. Ms.No.3 dated 06.01.2009, no progress or steps



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have been taken to utilize the land for the specific purpose, for which it was acquired. Thereafter, Notification under 3 (1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (in short 'the Act') was issued by the 1st respondent on 29.11.2011. The petitioner submitted a representation in the year 2013, seeking for allotment of subject land in his favour. As the same was not considered, the petitioner filed W.P.No.6993 of 2024 and this Court by an order dated 24.09.2014 directed the petitioner to make fresh representation to the 2nd respondent and on such representation being made, the said authority was directed to consider the same. Pursuant to which, the petitioner made a representation to the 2nd respondent on 09.10.2014, despite receipt of the same, the 2nd respondent had not passed any orders. In the year 2025, the petitioner came to know that patta issued in his name was transferred to SIPCOT. Thereafter, the 1st respondent issued notice dated 24.07.2024 to the petitioner to remove the assets from the land, for which the petitioner submitted its reply on 07.08.2024 and subsequently on 05.07.2025, the 4th respondent issued Show Cause notice dated 05.07.2025 by affixing the same in the petitioner's gate, for which the petitioner submitted its reply on 11.07.2025 and thereafter notice



dated 16.07.2025 issued by the 4th respondent under FORM-B was affixed on the gate of the petitioner's premises to attend enquiry. Pursuant to which, the petitioner went to the office of the 4th respondent on 25.07.2025 and filed all the required documents, On 28.07.2025, the 4th respondent passed an order of eviction. Being aggrieved, the petitioner has filed this Writ Petition.

3. The learned counsel appearing for the petitioner would submit that without passing any orders on the representation of the petitioner dated 09.10.2014 and without conducting enquiry, patta has been transferred in favour of SIPCOT and that apart no Award has been passed by the Authority concerned for acquisition of subject lands. Further, he would submit that without considering the reply and documents filed by the petitioner, the 4th respondent passed the impugned order of eviction dated 28.07.2025. He therefore prays to set side the same.

4. The learned Standing Counsel appearing for the respondents 1 and 4 would submit that the Government vide G.O.Ms.No.3 dated 06.01.2009 has



accorded administrative sanction for the establishment of an Industrial Park over an extent of 1780.17 acres comprising Vallam-A&B and Budhanur Villages, pursuant to which notifications under Section 3(2) of the Act was published on 05.02.2010 and 19.02.2010 and subsequently administrative approval under Section 3(1) was published on 29.11.2011. Thereafter, the petitioner purchased the property on 16.03.2011, after the publication of the acquisition notifications. Further, he would submit that the petitioner had not submitted any representation to the 2nd respondent, as directed by this Court on 24.09.2011 in W.P.No.6993 of 2014, Therefore, the said Authority by his proceedings dated 23.05.2018 has addressed a letter to the Secretary to Government stating that there was no response from the petitioner, in order enable them to proceed further and in the said proceedings, the said Authority had also made it clear that no exemption could be granted since the petitioner purchased the subject property after the publication of the notifications. Subsequently, 1st respondent has passed an Award on 31.12.2010. Pursuant to which, the Land Acquisition Department has deposited the compensation before the District Court, Kancheepuram on 11.06.2025 in L.A.O.P.No.23 of



2025. Further, he would submit that since the subject land was acquired and possession had been handed over to SIPCOT, the patta was rightly mutated in the name of the SIPCOT and that apart only after due consideration of reply and the documents filed by the petitioner, eviction order came to be passed. He further contended that because of the interim order passed by this Court on 28.08.2025, the respondents are unable to implement the project, for which the subject land was acquired. However, he would fairly submit that the petitioner may be permitted to withdraw the compensation which was already deposited before the District Court, Kancheepuram.

5. The learned Additional Government Pleader appearing for the respondents 2 and 3 would submit that the petitioner had not submitted any representation to the 2nd respondent, as directed by this Court on 24.09.2011 in W.P.No.6993 of 2014 and the said Authority by his proceedings dated 23.05.2018 addressed a letter to the Secretary to Government informing the said position. Further, he would submit that no exemption can be granted to the petitioner for the reason that the petitioner purchased the subject property after



the publication of the aforesaid notifications. He therefore prays for dismissal of this Writ Petition.

6. Heard both sides. Perused the records.

7. A perusal of the records shows that the Government vide G.O.Ms.No.3 dated 06.01.2009 has accorded administrative sanction for the establishment of an Industrial Park over an extent of 1780.17 acres comprising Vallam-A&B and Budhanur Villages, pursuant to which notifications under Section 3(2) of the Act was published on 05.02.2010 and 19.02.2010 and thereafter administrative approval under Section 3(1) was published on 29.11.2011. Thereafter, on 16.03.2011 the petitioner has taken a risk to purchase the subject property, after the publication of the acquisition notifications. Though the petitioner has stated that the respondent concerned has not considered and passed orders on the representation of the petitioner, from the proceedings of the District Collector, Kancheepuram dated 23.05.2018, it is clear that no representation was submitted by the petitioner as ordered by this Court. In the said proceedings,



the said Authority has also made it clear that no exemption could be granted to the petitioner for the reason that the petitioner purchased the subject property after the publication of the acquisition notifications and consequently the petitioner is not entitled to claim any benefit in respect of structures erected after acquisition. Therefore, the Government has rightly passed an Award on 31.12.2010 and the compensation was also deposited. That apart, as rightly contended by the learned Standing Counsel for the respondents 1 and 4 that since the subject land was acquired and possession have been handed over to SIPCOT, the patta was rightly mutated in the name of the SIPCOT. Therefore, there is no substance in the claim raised by the petitioner.

8. In view of the aforesaid position, the Writ Petition filed by the petitioner sans merit and is liable to be dismissed and accordingly the same is dismissed. However, the petitioner is at liberty to approach the District Court, Kancheepuram, for withdrawal of the compensation. The petitioner is directed to vacate the subject premises, within a period of *two weeks* from the date of receipt of a copy of this order. In the event, the petitioner fails to vacate the said



premises, the respondent concerned shall take the assistance of jurisdictional police for evicting the petitioner and taking over the possession. Since, the petitioner had taken a plea that they are not aware of the determination of Award and passing of the compensation and no notice was issued before determining the compensation, the petitioner is at liberty file an application before the Authority concerned for enhancement of compensation, within a period of two months from the date of receipt of a copy of this order and on such application being filed, the Authority is directed to consider and pass orders on the same. No costs. Consequently, connected Miscellaneous Petitions are closed.

24-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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Director
State Industries Promotion Corporation
Of Tamil Nadu Limited (sipcot
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2.The District Collector
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KRISHNAN RAMASAMY. J.

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