



W.A.(MD)No.1093 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.03.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

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&

C.M.P.(MD)No.8241 of 2024

1.K.V.Ramamurthy
2.V.Baskaran
3.Jeyaraman
4.V.Balakrishnan
5.P.Muthulakshmi
6.Chidamabran
7.K.Subramanian
8.K.Sureshkumar

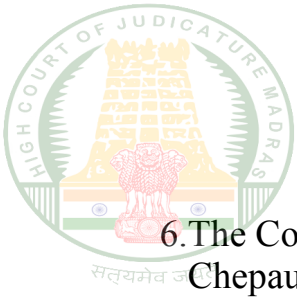
... Appellants

-Vs-

1.K.Murugan
2.Pitchairaja
3.A.Saravanan
4.G.Ezhilrega

5.Government of Tamil Nadu,
Rep. by its Secretary,
Industries, Investments Promotion &
Commerce Department,
Secretariat, Chennai.

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6.The Commissioner of Land Administration,
Chepauk, Chennai.

7.The Assistant Commissioner,
O/o. Commissionerate of Land Administration,
Chepauk, Chennai.

8.The District Collector,
Madurai District.

9.The District Revenue Officer,
Madurai District.

10.The Tahsildar,
Thirupparankundram Taluk,
Madurai District.

11.M/s.Hindustan Petroleum Corporation,
Through its Manager,
Kappalur, Madurai.

... Respondents

(R1 to R4 are given up vide Court order dated 28.06.2024.)

PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 30.04.2024 made in W.P.(MD)No.9557 of 2024 on the file of this Court.

For Appellant	: Mr.R.Suriya Narayanan
For R5 to R10	: Mr.Veera Kathiravan, Additional Advocate General, assisted by Mrs.D.Farjana Ghoushia, Special Government Pleader
For R11	: Mr.R.J.Karthik



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JUDGMENT

[Judgment of the Court was delivered by **S.SRIMATHY, J.**]

This Writ Appeal is directed against the order dated 30.04.2024 made in W.P.(MD)No.9557 of 2024.

2.The said Writ Petition is filed challenging the order of the 2nd respondent signed by the 3rd respondent dated 28.02.2024 followed by the publication of the notice in Form-C, under Section 3(1) of Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 in L.A-VI-2/6121111/2023 issued in the Tamil Nadu Government Gazette Extraordinary No.80, dated 01.03.2024 relates to the acquisition of the lands in Nilayur Bit-I and II Village and quash the same as illegal.

3.The appellants / writ petitioners 1 to 7 and 11 are having land in Nilayur Bit II Village, Tiruparankundram Taluk, Madurai District. The 11th respondent herein wrote a letter to the 8th respondent, requesting that they are in need of additional lands to set up a railway wagon gantry. Based on the request, the 8th respondent initiated proceedings for acquisition and obtained objections



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from the land owners. Subsequently, the authorities concerned failed to conduct any enquiry. In short, they failed to invoke Rule 6(c) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter referred to as 'the Act') and no personal hearing has been given to the land owners. However, the learned Single Judge has held that the appellants were granted opportunity. Further, there are four other persons / respondents 1 to 4 herein, whose lands were also acquired and they had not got any opportunity even under sub clause (b). Therefore, the learned Single Judge has granted permission to the appellate authority to conduct fresh enquiry to the respondents 1 to 4 herein and grant opportunity to them.

4.This Court is of the considered opinion that as per Rule 6(c), enquiry was not conducted, hence, even the appellants are also entitled for opportunity. Therefore, this Court set aside the order passed by the Writ Court, granting liberty to the appellants to approach the appellate authority, who in turn, shall conduct enquiry, after giving personal hearing to the appellants. The appellants are also at liberty to file all the available documents including the rates of the land.



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WEB COPY 5. With this direction, this Writ Appeal is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
20.03.2025
(½)

NCC : Yes / No
Index : Yes / No

Yuva

To

1. The Secretary,
Government of Tamil Nadu,
Industries, Investments Promotion &
Commerce Department,
Secretariat, Chennai.
2. The Commissioner of Land Administration,
Chepauk, Chennai.
3. The Assistant Commissioner,
O/o. Commissionerate of Land Administration,
Chepauk, Chennai.
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6. The Tahsildar,
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AND
S.SRIMATHY, J.

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