



W.P.(MD)No.20528 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2025

CORAM:

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P.(MD).No.20528 of 2025

and

W.M.P(MD)No.15891 of 2025

M/s. J.C.Tamarind & Oil Extractions (P) Ltd.,
1-3-6, Jayaraj Nadar Road,
Thenkarai,
Periyakulam,
Theni District,
Rep.by its Director,
C.J.Hemanth.

... Petitioner

Vs.

1. The Principal Secretary to the Government of TamilNadu,
Revenue & Disaster Management Department,
Secretariat,
Chennai-600 009.
2. The Additional Chief Secretary/Commissioner of Land Reforms,
Ezhilagam 2nd Floor,
Chepauk,
Chennai-600 005.
3. The District Collector,
Theni District.



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4. The Sub-Collector/Revenue Divisional Officer,
Periyakulam,
Theni District.

5. The Tahsildar,
Periyakulam Taluk,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating with the impugned notice of the 4th Respondent in Na.Ka.No. 1803/2025/A8 dated 28.06.2025 and quash the same.

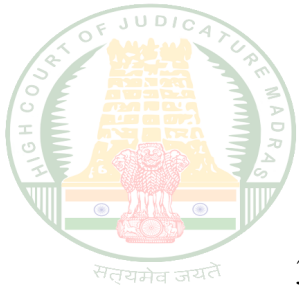
For Petitioners : Mr.A.K.Manikkam

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

The writ petition is filed challenging the impugned show cause notice issued by the 2nd respondent calling upon the petitioner to appear for enquiry on 03.07.2025.

2. Heard the learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader who takes notice for the respondents.



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3. By consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself.

4. It is seen from the averments found in the affidavit filed in support of the writ petition and the typed set of papers, the petitioner applied for exemption from the application of the provisions of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 “hereinafter referred to as the Act” before the 4th respondent and the order was passed on 26.06.2024, granting exemption under Sub-section 22 to Section 3 of the said Act by the 4th respondent on the ground that the petitioner is engaged in industrial/commercial activity of extracting juice from the tamarind fruit. Now, the impugned show cause notice has been issued by the 4th respondent on the ground that the subject property have not been utilized by the petitioner. Aggrieved by the same, the petitioner has come before this Court.

5. The learned counsel appearing for the petitioner would vehemently contend that the subject property is not an agricultural land and hence, the provisions of the said Act is not applicable to the subject land. Therefore, according to him the 4th respondent has no jurisdiction to issue impugned notice as if the provisions of the said Act are applicable.



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6. If it is not agricultural land, absolutely there was no necessity for the petitioner to seek exemption by filing application before the 4th respondent. Admittedly in the case on hand, the petitioner herein has filed an application before the 4th respondent, seeking exemption from the application of the provisions of Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 and the same was ordered.

7. Now after noticing certain violations, the impugned show cause notice has been issued directing the petitioner to appear for enquiry on 03.07.2025. Therefore, the petitioner shall appear before the 4th respondent and raise his objections on merits. Since the very same 4th respondent passed an order granting exemption in favour of the petitioner, this Court is not impressed by the arguments made by the learned counsel for the petitioner that the 4th respondent has no jurisdiction to issue notice under the provisions of the Act.



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8. Accordingly, the writ petition stands dismissed with liberty to the petitioner to appear before the 4th respondent and raise all his objections. It is needless to state that the 4th respondent shall give reasonable opportunity to the petitioner to substantiate his objections and thereafter, pass a final order within a period of twelve (12) weeks from the date of receipt of a copy of this order.

9. The writ petition stands dismissed with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

28.07.2025
(1/2)

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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S.SOUNTCHAR, J.

rgm

To

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