



W.P.Nos.1294 of 2025, etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	17.11.2025
Pronounced on	25.02.2026

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.Nos.1294, 29724, 10310, 10316, 10323, 29613, 29699, 29706,
7005, 7011, 7000, 7016, 7022 & 10325 of 2025
20544, 20545, 20548, 20539 & 20541 of 2024
& W.M.P.Nos.33317, 33318, 33347, 33351, 7734, 7740, 7742, 7751,
7752, 7763, 11632, 11637, 11638, 17712, 33309, 1538, 1539, 11618,
11619, 7733, 7757, 7758, 7762, 33307, 33194, 33197, 17721, 17722,
17723, 11635, 11623 & 11625 of 2025,
22485, 22487, 22488, 22489 & 22490 of 2024

W.P.No.1294 of 2025:

S.K.Ashok Kumar

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005



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3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeitai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the 2nd respondent culminating in the impugned notification in Gazette No.340 dated 17.10.2024 bearing number VI(1)/ 692(e-2)/ 204 (CLA-SIP/2024/ 40/ 07/ 04/ 0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 quash the same in so far as it relates to the petitioners lands in S.Nos. 23/1A, 23/1C, 23/1E, 24/10B, 24/11, 24/12A, 24/13, 24/3, 24/6A, 25/11, 25/13, 25/5, 26/1B, 26/3, 26/6, 27/11A3, 27/11A5, 27/1A, 27/4, 27/7, 27/8, 28/1A, 28/3B, 28/3C1, 28/6 and 27/11A1, admeasuring 2.359 ha, in Manellore village and direct the respondents to obtain prior environmental clearance under the EIA Notification, 2006 thereafter conduct enquiry under Section 3(2) considering the EIA reports, objections of the petitioner and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st respondents proposed industrial estate in Vaniyamalli village and surrounding villages in Gumudipoondi Taluk, Thiruvallur District



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W.P.No.29724 of 2025:

- 1.C.Elumalai
- 2.Malarvizhi Elumalai
- 3.Mithun Chakravarthy E
- 4.Balaji Elumalai
- 5.Pushpammal

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, calling for the records of the 2nd
respondent culminating in the impugned notification dated 25.04.2025
bearing No.VI (1) / 281 (b-2)/ 2025, no.CLA- SIP / 2025/ 40/ 01/ 05/
0001), issued under Section 3 (1) of the Tamil Nadu Acquisition of land
for Industrial Purposes Act, 1997 Published by the 2nd Respondent, in



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respect of the petitioners lands in S.No. 76/1B, 94/1, 80/2, 80/3, 80/4, 80/5, 80/7, 80/8A, 94/1, 76/1B, 76/2A, 76/3A, district and quash the same and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3 (2) considering the EIA reports, Objections of the petitioner, and pass reasoned orders before publication of Notification under section 3 (1) of the Tamil Nadu Acquisition of Land for industrial purposes Act, 1997 for the 1st respondents proposed industrial estate in Vaniyamalli village and surrounding villages in gummidipoondi Taluk, Thiruvallur district

W.P.No.10310 of 2025:

E.Subramani

... Petitioner

Vs.

1.The District Collector,
Tiruvallur, 1st Floor,
Collectorate, Tiruvallur 602 001

2.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, Calling for the records of the 1st respondent culminating in the impugned proceedings of the 1st



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respondent bearing number Na.Ka.No. 9326/2022/A2 dated 26.01.2023
quash the same.

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W.P.No.10316 of 2025:

E.Subramani

... Petitioner

Vs.

1.The District Collector,
Tiruvallur, 1st Floor,
Collectorate, Tiruvallur 602 001

2.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, Calling for the records of the 1st
respondent culminating in the impugned proceedings of the 1st
respondent bearing number Na.Ka.No. 12162/2020/A2, pertaining to
Soorapoondi Village, dated 07.09.2020 quash the same.

W.P.No.10323 of 2025:

E.Subramani

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary to Government,



W.P.Nos.1294 of 2025, etc., batch

Revenue and Disaster Management Department,
Land Disposal Wing (LD 5(2) Section),
Secretariat, Fort St.George, Chennai 600 009.

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2.The State Industries Promotion Corporation of Tamil
Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, Calling for the records of the 1st
respondent culminating in the G.O.(Ms.) No. 285 dated 03.08.2018 quash
the same.

W.P.No.29613 of 2025:

C.Elumalai

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),



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SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipttai,
Thiruvallur 601 206.

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... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent culminating in the impugned notification dated 25.04.2025 bearing No. VI (1) / 281 (b-2) / 2025 no. CLA- SIP/ 2025/ 40/ 01/ 05/ 0001) issued under section 3(1) of the Tamil Nadu Acquisition of land for Industrial Purposes Act 1997 published by the 2nd respondent in respect of the petitioners land admeasuring 2.714 hectares (6.706 acres) in S.No. 71/1 Vaniyamalli village, Gummidipoondi Taluk, Tiruvallur district and quash the same and direct the respondents to obtain prior environmental clearance under the EIA notification 2006 thereafter conduct enquiry under section 3(2) considering the EIA reports, objections of the petitioner and pass reasoned orders before publication of notification under Section 3(1) of the Tamil Nadu Acquisition of land for Industrial Purposes Act 1997 for the 1st respondents proposed industrial estate in Vaniyamalli village and surrounding villages in Gummidipoondi Taluk, Thiruvallur district

W.P.No.29699 of 2025:

Elango Gunasekar

... Petitioner

Vs.



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1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeitai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent culminating in the impugned notification dated 25.04.2025 bearing No.VI(1) / 281(b-2) / 2025 No.CLA-SIP/ 2025/ 40/ 01/ 05/ 0001) issued under Section 3(1) of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997 published by the 2nd respondent in respect of the lands admeasuring 1.1750 ha (or 2.9034 acres) in S.No.71/2B in the petitioners name at Vaniyamalli village, Gummidipoondi Taluk, Thiruvallur district and quash the same and direct the respondents to obtain prior environmental clearance under the EIA



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Notification 2006, thereafter conduct enquiry under section 3(2) considering the EIA reports objections of the petitioner and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st respondents proposed Industrial estate in Vaniyamalli village and surrounding villages in Gummudipoondi Taluk Thiruvallur District

W.P.No.29706 of 2025:

Thamizharasan G

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeitai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, Calling for the records of the 2nd

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respondent culminating in the impugned notification dated 25.04.2025 bearing No.VI(1) / 281(b-2) / 2025 No.CLA-SIP/ 2025/ 40/ 01/ 05/ 0001) issued under Section 3(1) of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997 published by the 2nd respondent in respect of the petitioners lands admeasuring 1.1750 ha (or 2.9034 acres) in S.No.71/2A Vaniyamalli village, Gummidipoondi Taluk, Thiruvallur district and quash the same and direct the respondents to obtain prior environmental clearance under the EIA Notification 2006, thereafter conduct enquiry under section 3(2) considering the EIA reports objections of the petitioner and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st respondents proposed Industrial estate in Vaniyamalli village and surrounding villages in Gummidipoondi Taluk Thiruvallur District

W.P.No.7005 of 2025:

G.Indirani

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

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3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeitai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records of the 2nd Respondent culminating in the impugned notification dated 17.10.2024 bearing number No.VI(1/692(e. 1)/2024 (CLA-SIP/2024/40/07/07/0001) and No.VI(1)/692(e-2)/2024 (CLA SIP/2024/40/07/04/0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S. Nos. 11/1B (SI.No. 15), 15/7 (SI.No. 160), 15/8 (SI.No. 161), 27/2A (SI.No. 93), 27/6 (SI.No. 100), admeasuring 0 34. 50 ha, in Manellore village and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports, objections of the petitioner, and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st Respondent proposed industrial estate in Manellore village and surrounding villages in Gummudipoondi Taluk, Thiruvallur District.



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W.P.No.7011 of 2025:

O.V.Dhamodharan

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmiipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent culminating in the impugned notification dated 17.10.2024 bearing number No.VI(1)/692(e 2)/2024 (CLA-SIP/2024/40/07/04/0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S. Nos. 26/1 1B1 (SI.No. 67), 28/3A2 (SI.No. 110), admeasuring 0-5.50 ha, in Manelore

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W.P.Nos.1294 of 2025, etc., batch

village and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports, objections of the petitioner, and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st Respondent's proposed industrial estate in Manellore village and surrounding villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.7000 of 2025:

R.Kesavan

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India

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W.P.Nos.1294 of 2025, etc., batch

praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the 2nd Respondent culminating in the impugned notification dated 17.10.2024 bearing number No.VI(1)/692 (e-1)/2024 (CLA-SIP/2024/40/07/07/0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same so far as ,it relates to the petitioners lands ,in S. Nos. 11/ 1A1 (SI.No. 13), 1 1/ 1A. 2 (SI.No. 14) 11/6 (SI.No. 31) 14/11B(SI.No. 78), 14/2B (SI.No. 109) admeasunng 0-21.00 ha, in Manellore village and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports, objections of the petitioner, and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st Respondent's proposed industrial estate in manellore village and surrounding villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.7016 of 2025:

V.Govindharaj

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,

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W.P.Nos.1294 of 2025, etc., batch

Land Administration Department,
2nd Floor, Ezhilagam, Chepauk, Chennai 600 005

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3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent culminating in the impugned notification dated 17.10.2024 bearing number No.VI(1)/692(e 2)/2024 (CLA-SIP/2024/40/07/04/0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in So far as it relates to the petitioners lands in S. Nos. 28/3A1 (SI.No. 109), admeasuring 0.0575 ha, in Manellore village and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports, objections of the petitioner, and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st Respondents proposed industrial estate in manellore village and surrounding villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.7022 of 2025:



W.P.Nos.1294 of 2025, etc., batch

A.Purushothaman

... Petitioner

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Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeitai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the 2nd Respondent culminating in the impugned notification dated 17 10 2024 bearing number No.VI(1)/692(e -1)/2024 (CLA-SIP/2024/40/07/07/0001) and No. VI(1)/692 (e-2)/2024 (CLA SIP/40/07/04/0001) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial purposes Act. 1997, quash the same In so far as it relates to the petitioners lands in S. Nos, 11/14 (SI.No. 7), 11// (S1.NO. 32), 15/14 (SI. No. 130), 25/7 (S.NO, 54), 26/11B2 (SI.No. 68), 26/11F (S1.NO. 3),

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admeasuring 3.875 ha, in Manellore village and direct the Respondents to obtain prior environmental clearance under the EIA Notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports, Objections of the petitioner, and pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 for the 1st Respondents proposed industrial estate in Manellore village and surrounding villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.10325 of 2025:

E.Subramani

... Petitioner

Vs.

1.The District Collector,
Tiruvallur, 1st Floor,
Collectorate, Tiruvallur 602 001

2.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the 1st respondent culminating in the impugned proceedings of the 1st respondent bearing number Na.Ka.No. 12162/2020/A2, pertaining to Vaniyamallee Village, dated 07.09.2020 quash the same.



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W.P.No.20544 of 2024:

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L.Kumaresan

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, Calling for the records of the 2nd respondent culminating in the impugned notification dated 09.05.2024 bearing number No. VI(1)/346 (a-5)/2024(CLP-SIP/2024/40/01/04/001), issued under section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S.No. 72/15,75/16, 73/8 admeasuring 0.77.00 Ha in Vaniyamalli Village and direct the respondents to obtain prior

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environmental clearance under the EIA notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports objections of the petitioner, pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes act, 1997 for the 1st Respondents proposed industrial estate in vaniyammali Village and surrounding Villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.20545 of 2024:

S.Aruna

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeetai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India

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W.P.Nos.1294 of 2025, etc., batch

praying to issue a Writ of Certiorari, Calling for the records of the 2nd respondent culminating in the impugned notification dated 09.05.2024 bearing number No. VI(1)/346 (a-5)/2024(CLP-SIP/2024/40/01/04/001), issued under section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S.No. 79/1C, 79/2 admeasuring 0.44.00 Ha in Vaniyamalli Village and direct the respondents to obtain prior environmental clearance under the EIA notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports objections of the petitioner, pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes act, 1997 for the 1st Respondents proposed industrial estate in vaniyammali Village and surrounding Villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.20548 of 2024:

Raghunathan

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,

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W.P.Nos.1294 of 2025, etc., batch

Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipttai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent culminating in the impugned notification dated 09.05.2024 bearing number No. VI(1)/346 (a-5)/2024(CLP-SIP/2024/40/01/04/001), issued under section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S.No. 79/1A admeasuring 1.76.50 Ha in Vaniyamalli Village and direct the respondents to obtain prior environmental clearance under the EIA notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports objections of the petitioner, pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes act, 1997 for the 1st Respondents proposed industrial estate in vaniyammali Village and surrounding Villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.20539 of 2024:

Sridharan

... Petitioner

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W.P.Nos.1294 of 2025, etc., batch

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipettai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent culminating in the impugned notification dated 09.05.2024 bearing number No. VI(1)/346 (a-5)/2024(CLP-SIP/2024/40/01/04/001), issued under section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S.No. 79/1B admeasuring 1.32.50 Ha in Vaniyamalli Village and direct the respondents to obtain prior environmental clearance under the EIA notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports objections of the petitioner, pass reasoned

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orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes act, 1997 for the 1st Respondents proposed industrial estate in vaniyammali Village and surrounding Villages in Gummudipoondi Taluk, Thiruvallur District

W.P.No.20541 of 2024:

Kumar

... Petitioner

Vs.

1.The State Industries Promotion Corporation
of Tamil Nadu (SIPCOT),
19-A, Rukmani Lakshmipathy Road,
Egmore, Chennai 600 008.

2.Commissionerate of Land Administration,
Rep by its Commissioner,
Government of Tamil Nadu,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005

3.The Land Acquisition Officer/
District Revenue Officer (LA),
SIPCOT Manellore Phase III,
No.26, Samarapuri Nagar, Kavaraipeetai,
Thiruvallur 601 206.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, Calling for the records of the 2nd respondent culminating in the impugned notification dated 09.05.2024

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bearing number No. VI(1)/346 (a-5)/2024(CLP-SIP/2024/40/01/04/001), issued under section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, quash the same in so far as it relates to the petitioners lands in S.No. 79/1C,79/2 admeasuring 0.44.0 Ha in Vaniyamalli Village and direct the respondents to obtain prior environmental clearance under the EIA notification, 2006, thereafter conduct enquiry under Section 3(2) considering the EIA reports objections of the petitioner, pass reasoned orders before publication of Notification under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes act, 1997 for the 1st Respondents proposed industrial estate in vaniyammali Village and surrounding Villages in Gummudipoondi Taluk, Thiruvallur District

For Petitioner : Mr.T.Mohan, Sr.counsel
Asst. by Mr.A.Yogeshwaran,
Ms.B.Poonghkulali & Ms.S.Swetha

For Respondent : Mr.J.Ravindran,
Additional Advocate General,
Asst. by Mr.A.Selvendran, SGP
for R1 in WP.Nos.10310, 10316,
10323, 10325 of 2025
for R2 & 3 in WP.Nos.1294, 7005,
7000, 7011, 7016, 7022 of 2025
20539, 20541, 20544, 20545, 20548/24
29613, 29706, 29699 & 29724 of 2025

Mr.R.Viduthalai, Sr.counsel,
Asst.by Mr.Abishek Murthy, St.counsel
for R1 in WP.No.1294, 7005, 7000,
7011, 7016, 7022 of 2025



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20539, 20541, 20544, 20545, 20548/24
29613, 29706, 29699 & 29724 of 2025
for R2 in WP.No.10310, 10316, 10323
& 10325 of 2025

COMMON ORDER

The writ petitions, in WP.Nos.20539, 20544, 20545, 20548, 20541 of 2024, 1294, 7000, 7005, 7011, 7016, 7022 of 2025, 29613, 29699, 29706 & 29724 of 2025, have been filed challenging the impugned Notification dated 09.05.2024, 17.10.2024 & 25.04.2025 (hereinafter called as “Section 3(1) Notification”) issued under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (hereinafter called as “1997 Act”).

2. The writ petitions, in WP.Nos.10310, 10316 & 10323 of 2025, have been filed against the impugned Enter Upon Permission dated 07.09.2020 & 26.01.2023 granted by the District Collector, Thiruvallur District.



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3. The Writ petition, in WP.No.10325 of 2025, has been filed against the Alienation order passed by the Government of Tamil Nadu vide GO(Ms)No.285 dated 03.08.2018.

4. Brief Facts of the cases are as follows:

4.1 In these cases, the SIPCOT has identified 1751.67.30 Hectares, i.e., 4326.62 Acres of land for the establishment of “industrial park” or “industrial estate” howsoever called. In the present batch of cases, the challenge was made with regard to the acquisition of more than 1951.88 Acres of Poromboke land and 11.5.0 Hectares, which is equivalent to 28 acres, of Patta land. These subject lands, which includes both Patta lands and Poromboke lands, are spread across 5 villages, namely, Manellore, Soorapoondi, Vaniyamalli, Madarapakkam and Sanapthur in Thiruvallur District.

4.2 With regard to the Poromboke lands, the SIPCOT, being the Promoter for industrial establishment, got the impugned Enter Upon Permission from the District Collector and subsequently, obtained a full-pledged Alienation order from the Revenue Department of the



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Government of Tamil Nadu, whereupon the said lands are absolutely vested in SIPCOT.

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4.3 For the subject lands pertaining to cases, where the Enter Upon Permission was granted, the Environmental clearance was obtained by the respondent on 22.04.2024, whereas, for the subject lands, pertaining to cases, where the Alienation Order was passed, the Environmental Clearance was obtained on 10.11.2020.

4.4 Against the Environment Clearance dated 10.11.2020, an appeal was filed in Appeal Nos.32 & 34 of 2020 and the same were disposed of, vide order dated 30.09.2022, with a direction to conduct further study, by keeping the said Environmental Clearance certificate in abeyance. Pursuant to the said order, a thorough study was conducted by the concerned Authorities and thereafter, an amended Environmental Clearance was granted on 17.03.2025, which is also challenged before National Green Tribunal (NGT) in Appeal No.20 of 2025 and the same is pending without any interim orders.

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4.5 As far as Environmental Clearance dated 22.04.2024 is concerned, the same was challenged in Appeal No.46 of 2024. The order for suspension of Environmental Clearance, given by the Competent Authority, is challenged by SIIPCOT before the Hon'ble Supreme Court and the same is pending.

4.6 Under these circumstances, these writ petitions have been filed challenging the issuance of Section 3(1) Notification by stating that no such notification can be issued without obtaining the Environmental Clearance. Further challenge was also made against the Alienation Order and Enter Upon Permission on the ground that the said orders ought not to have passed by the respective Authorities before obtaining Environmental Clearance and the same is against the law laid down by the Hon'ble Apex Court in *Project Director vs. PV Krishnamurthy & others* reported in (2021) 3 SCC 572 (hereinafter referred to as “PV Krishnamurthy case”).



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5. Petitioner's submission:

5.1 The learned Senior counsel appearing for the petitioner would submit that SIPCOT has identified more than 1700 Hectares of land spread across 5 villages, which includes both Patta lands and Poromboke lands. Except houses, all available agricultural lands and open common lands are earmarked for establishment of industrial estates. The area is agriculturally productive and fertile. A minimum of 2 crops is grown a year, with paddy being the dominant crop along with vegetables. Groundwater is available almost at ground level during monsoon season and the water level in wells are 2 to 3 meters depth even during summer. There are several cattle in these villages, which are dependent only on these commons, now sought to be diverted, which though classified as Kallankuthu, are in reality used as Meikal lands. There is, thus, a need to properly assess the environmental and social impact of conversion of these lands for establishment of an industrial estate, which is sought to be thwarted by SIPCOT by issuing Section 3(1) Notification for acquisition of these lands and securing allotment before an Environmental Impact



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Assessment (EIA) is done, public hearing is conducted and clearance is obtained.

5.2 Hence, he would submit that the challenge involved in these writ petitions is with regard to the issuance of Section 3(1) Notification and against the Enter Upon Permission and Alienation Order passed by the concerned Authorities for transferring Poromboke lands.

5.3 According to the petitioners, it is mandatory to obtain prior Environmental Clearance in terms of the provisions of Notification dated 14.09.2006 (hereinafter called as “2006 Notification”) and in terms of the Official Memorandum of Ministry of Environment, Forest and Climate Change dated 07.10.2014 (hereinafter called as “2014 OM”).

5.4 Further, it was contended that even in terms of the law laid down by the Hon'ble Apex Court in the case of *PV Krishnamurthy case*, before issuance of Section 3(1) Notification, i.e., before vesting of



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property in the hands of acquiring Authorities, the concerned Officials are supposed to have obtained Environmental Clearance. However, the said mandatory Law has not been followed in these cases. The Poromboke lands were handed over to SIPCOT by virtue of Alienation Order and Enter Upon Permission without obtaining the Environmental Clearance. Therefore, the issuance of impugned orders is not only contrary to 2006 Notification and 2014 OM, but also in violation of the law laid down by the Hon'ble Apex Court in ***PV Krishnamurthy case***.

5.5 That apart, a submission was made to the extent that the issuance of Section 3(1) Notification is also in violation of the judgment rendered by the Hon'ble Apex Court in ***Karnataka Industrial Areas Development Board vs. C.Kenchappa*** reported in ***(2006) 6 SCC 371*** (hereinafter referred to as “C.Kenchappa case”) and the order passed by this Court in ***M.Velu vs. The State of Tamil Nadu and others*** reported in ***(2010) SCC Online Mad 2736*** (hereinafter referred to as “M.Velu case”).



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5.6 By referring all the above case laws, 2006 Notification and 2014 OM, he would submit that impugned Section 3(1) Notification, Enter Upon Permission and Alienation order are liable to be quashed. Hence, he requests this Court to pass appropriate orders.

6.Respondent's submissions:

6.1 Mr.J.Ravindran, learned Additional Advocate General and Mr.R.Viduthalai, learned Senior counsel appearing for the respondents had strongly opposed for the submissions made by the petitioners and would submit that as far as Poromboke land is concerned, there is no bar, in the provisions of law laid down by the Hon'ble Apex Court, to grant any Enter Upon Permission and Alienation Order in favour of SIPCOT and a mere granting of said Enter Upon Permission and Alienation Order does not mean that the SIPCOT can commence the implementation of project and construct the industries therein.

6.2 As per 2006 Notification and 2014 OM, the prohibition is only with regard to the commencement of construction and other



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developmental activities, whereas, issuance of Section 3(1) Notification and granting of Enter Upon Permission and Alienation Order is not at all prohibited in the said Notification and OM and also it is not against the law laid down by the Hon'ble Apex Court and this Court in the judgements referred by petitioners.

6.3 As far as Patta lands are concerned, initially, a Section 3(2) Notification was issued and enquiry was conducted, prior to which, a thorough study was also conducted by the respondents as ordered by the Hon'ble Division Bench of this Court in *M.Velu case*. After conducting the impact assessment study, the respondent had proceeded to issue Section 3(1) Notification.

6.4 As stated above, a mere issuance of Section 3(1) Notification itself does not mean that the SIPCOT is going to implement its project and start the construction works and further developmental activities. At the stage of issuance of Section 3(1) Notification, only the property is going to be vested with the Government. Until the receipt of



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Environmental Clearance and disbursement of award amount to the land owners, certainly, the SIPCOT cannot commence any construction work or further developmental activities at the subject lands. Now, they are only in the process of securing the lands, which includes vesting of properties.

6.5 Further, by referring the provisions of 1st and 2nd proviso to Section 4(1) of the 1997 Act, they would submit that admittedly, if no Environmental Clearance is obtained or if any conclusion is arrived to the extent that the subject lands are not required for purpose of establishment of industrial estate, the said lands will be reverted back to the respective land owners. Further, the said land owners are also entitled for compensation for the period from the date of taking over of the lands by Government till the date of reverting back of the same to the land owners. Hence, he would contend that all the protections have been provided to the land owners/petitioners in the 1997 Act. However, in the National Highways Act, no such provisions is available for reverting back the lands to the respective land owners and that is why, in **PV**



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Krishnamurthy case, the Hon'ble Apex Court has observed that Section 3D Notification, which is equivalent to Section 3(1) Notification, can be issued only after the obtaining of Environmental Clearance.

6.6 Further, in the said **PV Krishnamurthy case**, the challenge was made with regard to the issuance of Section 3A Notification and the arguments were made only on the aspect as to whether Section 3A Notification, which is equivalent to Section 3(2) Notification in 1997 Act, can be issued prior to the obtaining of Environmental Clearance. However, no submissions were made with regard to commencement of construction work and other developmental activities as referred in 2006 Notification and hence, the Hon'ble Apex Court had no occasion to dealt with the same.

6.7 Therefore, they would contend that the question of commencement of construction works and preparation of lands by the project management would come into picture only subsequent to the entrustment of the lands with SIPCOT and thereupon, allotment of land



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to various allottees. Until then, no such activities will be carried out. Now, the issuance of Section 3(1) Notification is only for the purpose of vesting of subject lands with the Government.

6.8 Further, by referring 2006 Notification, they would submit that absolutely, there is no prohibition for issuance of Section 3(1) Notification, whereby only the vesting of property occurs. Also, there is no prohibition for passing Alienation Order as well as Enter Upon Permission to SIPCOT for the Poromboke lands. Hence, they pray for dismissal of these petitions.

7. I have given due consideration to the submissions made by the learned Senior counsel for the petitioners and the learned Additional Advocate General and the learned Senior counsel appearing for the respondents and also perused the entire materials available on record.



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8. In the present batch of cases, two issues, that arises for consideration, are as follows:

i) Whether the issuance of Section 3(1) Notification can be construed as commencement of construction work or preparation of land by the project management? And what would be the stage, at which, the actual construction work or preparation of land would occur?

ii) Whether Section 3(1) Notification can be issued, under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, before obtaining the Environmental Clearance ?

9. Issue No.1: Whether the issuance of Section 3(1) Notification can be construed as commencement of construction work or preparation of land by the project management? And what would be the stage, at which, the actual construction work or preparation of land would occur?

9.1 To answer the 1st issue, it would be apposite to extract the relevant portion of Notification dated 14.09.2006, which reads as follows:

(i) Clause 2 of 2006 Notification:

“2. Requirements of prior Environmental Clearance (EC):-



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The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule and at District level, the District Environment Impact Assessment Authority (DEIAA) for matters falling under Category 'B2' for mining of minor minerals in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7.

(ii) Paragraph No.7(c) of the Schedule:

Project or Activity		Category with threshold limit		Conditions, if any
		A	B	
(1)	(2)	(3)	(4)	(5)
7	Physical infrastructure including Environmental Services			
7(a) to 7(b)				
7(c)	Industrial Estates/Parks/Complexes/ Areas, Export	If at least one industry in the proposed industrial estate falls under the category A,	Industrial estates housing at least one Category B	General as well as specific conditions shall apply. Note: 1. Industrial Estate of area



processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes	enter industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	industry and area <500 ha. Industrial estates of area >500 ha. and not housing any industry belonging to Category A or B.	below 500 ha. and not housing any industry of category A or B does not require clearance. 2.If the area is less than 500 ha. but contains building and construed projects >20,000 sq.mtr., and developmental area more than 50 ha., it will be treated as activity listed at Serial No.8(a) or 8(b) in the Schedule as the case may be.
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9.2 A reading of the above notification would reveal that prior to the receipt of Environmental Clearance, no construction works or preparation of lands by the project management would occur. Once Section 3(1) Notification is issued, the lands will be vested with the Government. Thereafter, the Government has to take steps to entrust the said lands to SIPCOT. Even after entrustment of lands to SIPCOT, the SIPCOT will not commencement any construction work or preparation work for the purpose of establishment of industries. Once the property is entrusted to SIPCOT, they would allot the lands to various industries. After obtaining all the approvals only, they can commence the construction works and other development activities as referred in 2006 Notification. Hence, as per the procedures provided in 2006 Notification, the commencement of construction work and other development



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activities is far away from the stage of issuance of Section 3(1) Notification.

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9.3 The Hon'ble Supreme Court of India, in ***PV Krishnamurthy*** case, had elaborately discussed on the aspect of requirement of obtaining Environmental Clearance. In the said judgement, it has been clearly stated that Environmental Clearance is required to be obtained before the commencement of construction work or preparation of land by project management for the purpose of development, which would occur subsequent to the entrustment of lands to NHAI. There is no dispute on the aspect that the Notification, under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, is equivalent to Notification, issued under Section 3D of the National Highways Act, 1956. While dealing with the land acquisition matter, pertaining to the National Highways Act, 1956, in the matter of ***PV Krishnamurthy***, the Hon'ble Apex Court has held as follows:

“79. Reverting to the notification issued by the MoEF dated 14.9.2006, even this notification does not constrict the power of Central Government to issue



notification under [Section 2\(2\)](#) or [Section 3A](#) of the 1956 Act. There is nothing to suggest that before expressing intention to acquire any land for the purpose of the 1956 Act, prior environmental/forest clearance is required. **The environmental/forest clearance, however, is, required to be obtained by the executing agency in terms of this notification “before commencing the actual work or executing the proposed work/project”. That would happen only after the land is vested in the NHAI or the NHAI was to be entrusted with the development work of concerned national highway by the Central Government in exercise of powers under [Section 5](#) of the 1956 Act read with Section 11 of the 1988 Act. The land would vest in the Central Government under the 1956 Act only after publication of declaration of acquisition under [Section 3D](#). And until then, the question of Central Government vesting it in favour of NHAI under Section 11 of the 1988 Act would not arise. However, until the vesting of the land, the Central Government and its authorised officer can undertake surveys of the notified lands by entering upon it in terms of [Section 3B](#) of the Act. Pertinently, the activities predicated in [Section 3B](#) are of exploration for verifying the feasibility and viability of land for construction of a national highway. These are onetime activities and not in the nature of exploitation of the land for continuous commercial/industrial activities as such. There is remote possibility of irretrievable wide spread environmental impact due to carrying out activities referred to in [Section 3B](#) for assessing the worthiness of the land for using it as a national highway. Thus, the question of applying notification of 2006 at this stage does not arise, much less obligate the Central Government to follow directives thereunder.**

80 to 85.

86.Suffice it to observe that the subject notification of 2006 and Office Memorandum dated 7.10.2014 ordain



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that such permission is required to be obtained (only) before commencement of the work of the new project or activities or on the expansion or improvisation of the project or activities based on their potential environment impact.

87 to 92

93. For the purpose of considering the question posed before us, suffice it to observe that the prior environmental clearance in terms of 2006 notification issued under Section 3 of the Environment (Protection) Act, 1986 Act read with Rule 5 of the Environment (Protection) Rules, 1986, is required to be taken before commencement of the “actual construction or building work” of the national highway by the executing agency (NHAI). That will happen only after the acquisition proceedings are taken to its logical end until the land finally vests in the NHAI or is entrusted to it by the Central Government for building/management of the national highway.

94 to 96.

97. Considering the provisions of the 1956 Act and the 1988 Act, NHAI can take over the work of development and maintenance of the concerned national highway only if the notified land is vested in it or when the same is entrusted to it by the Central Government. ”

*(*** Emphasis supplied)*

9.4 In all the above paragraphs, the Hon'ble Apex Court had dealt with 2006 Notification, 1956 Act, 1998 Act and Environmental Protection Act, 1984, and categorically held that the Environmental/



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Forest Clearance is required to be obtained before commencing actual work or executing of proposed work/project. Further, it has been held that the said aspect would arise only subsequent to the entrustment of lands with NHAI. Prior to entrustment of lands to NHAI, the lands are required to be vested with the Central Government and that would happen by issuance of Section 3D Notification. Merely, the issuance of Section 3D Notification would not be considered as commencement of actual work or execution of proposed work/project. Such commencement/execution will happen only after the entrustment of lands by the Government to NHAI.

9.5 In terms of the 1956 Act, once the land is vested with the Government by virtue of issuance of Section 3D Notification, thereafter, they have to take possession in terms of Section 3E of the 1956 Act. Such possession can be taken only after the determination of compensation for the land by the Competent Authority in terms of Section 3G of the 1956 Act and depositing the same in terms of Section 3H(1) of the 1956 Act. Therefore, it is not that the physical possession of the land can be taken



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by the Government immediately upon issuance of Section 3D

Notification. As stated above, such taking over of possession will happen only after quantification of the compensation amount and deposit of the same in accordance with the provisions of Section 3G and 3H of the 1956 Act. Hence, at any cost, one cannot construed that immediately upon issuance of Section 3D Notification, the Government can commence the construction work or execute the proposed work/project automatically.

9.6 Therefore, the Hon'ble Apex Court was conscious of the fact that the commencement of actual work or execution of proposed work/project would happen in terms of 2006 Notification, only after entrustment of land with NHAI. Thus, merely by virtue of issuance of Section 3D Notification, the land will not be entrusted to NHAI but it will only be vested with the Government. Merely, vesting of land with the Government would not amount to automatic commencement of construction work or execution of proposed work/project.



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9.7 Therefore, the Hon'ble Apex Court, held in clear terms that the commencement of actual work or execution of proposed work/project will not happen, or cannot construed to be happened, immediately upon issuance of Section 3D Notification. By virtue of Section 3D notification, only the land is going to be vested with the Government. Except vesting of land, nothing is going to happen with regard to commencement of any construction works or development activities, which are all subsequent events. As per the provisions of 2006 Notification, the bar is only for commencement of construction work or execution of proposed project/works, prior to the obtaining of Environmental Clearance and the same would happen once the land is entrusted to NHAI. Therefore, a mere issuance of Section 3D Notification itself cannot not be considered or construed as commencement of construction work.

9.8 Now, it would be apposite to extract the Office Memorandum of the Ministry of Environment, Forests and Climate Change dated 07.10.2014 (2014 OM), which reads as follows:



Office Memorandum

Subject: Status of land acquisition w.r.t. project site while considering the case for environment clearance under EIA Notification, 2006-regarding

It has been brought to the notice of this Ministry that in the absence of a guidelines, different EACS/SEACs adopt different criteria about the extent to which the land w.r.t. the project site should be acquired before the consideration of the case for environment clearance (EC). Some of the Ministries in the Government of India and some industrial associations have represented that full acquisition of land for the project site should not be insisted upon before consideration of the case for EC and instead Initiation of land acquisition process should be sufficient for the consideration of such cases. The argument being that land acquisition process can go on in parallel and that consideration of EC need not await full acquisition.

2. The matter has been examined in the Ministry. The EC granted for a project or activity under the EIA Notification: 2006, as amended, is site specific. While full acquisition of land may not be a pre-requisite for the consideration of the case for EC, there should be some credible document to show the status of land acquisition w.r.t project site when the case is brought before the concerned EAC/SEAC for appraisal. It has been accordingly decided that the following documents relating to acquisition of the project site may be considered as adequate by EACS/SEACs at the time of appraisal of the case for EC.

(i) In case the land w.r.t. the project site is proposed to be acquired through Government intervention, a copy of preliminary notification issued by the concerned State Government regarding acquisition of land as per the provisions of Land Acquisition, Rehabilitation and Resettlement, Act, 2013.



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(ii) In case the land is being acquired through private Showing the intent of the land owners to sell the land negotiations with the land owners, credible documer the proposed project.

3. It may, however, be noted that the EC granted for a project on the basis of aforesaid documents shall become invalid in case the actual land for the project site turns out to be different from the lang considered at the time of appraisal of project and mentioned in the EC.

4. This issues with the approval of the competent authority.”

9.9 Subsequent to the issuance of 2006 Notification, different Environmental Authorities adopted different criteria with regard to which extent of project site should be acquired before consideration of the case for Environmental Clearance. The said aspect was brought to the knowledge of Ministry of Environment, Forests and Climate Change and hence, the aforesaid 2014 OM came to be issued.

9.10 As discussed in paragraph Nos.1 & 2 of 2014 OM, after examining all the aspects, the Authorities have categorically arrived at a conclusion that while full acquisition of land may not be a pre-requisite for the consideration of the case for EC, there should be some credible



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document to show the status of land acquisition with respect to project site when the case is brought before the concerned EAC/SEAC for appraisal. Therefore, insisting of the acquisition of land in full extent by the concerned Authorities has been relaxed by virtue of the aforesaid OM to the extent to show some documents relating to acquisition of project site. Thus, the acquisition of land in full extent at the time of preliminary notice was relaxed to the aforesaid extent.

9.11 Further, at paragraph Nos.3 & 4 of 2014 OM, it was concluded that the Environmental Clearance, granted based on the aforesaid documents, would become invalid in case the actual land for the project site turns out to be different from the land considered at the time of appraisal of project and mentioned in the EC. When such being the case, if the Environmental Clearance is granted after entrustment of lands to NHAI/SIPCOT, the question of carrying out the construction work and commencement of project in any land, different from the actual project site submitted before the Environmental Authorities for which the EC was granted, would not arise and otherwise, entire exercise for



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getting EC will become wasteful exercise and the respondent is required to follow the entire exercise of land acquisition from the beginning.

9.12 At this juncture, it would be apposite to extract paragraph No.95 of the **PV Krishnamurthy** case, wherein the Hon'ble Apex Court had dealt with the aforesaid 2014 OM and it has been held as follows:

*“95. Applying the tenet underlying this notification, it is amply clear that before the process of acquisition of land is ripe for declaration under **Section 3D** of the 1956 Act, it would be open to the executing agency (NHAI) to make an application to the competent authority for environmental clearance. That process can be commenced parallelly or alongside the acquisition process after a preliminary notification under **Section 3A** of the 1956 Act, for acquisition is issued. ”*

9.13 In terms of the above paragraph No.95, the Hon'ble Apex Court has held that NHAI shall make applications for Environmental Clearance even before the issuance of Section 3D Notification. Further, it was held that the process of obtaining Environmental Clearance can be commenced parallelly or alongside the acquisition process after a preliminary Notification, under Section 3A of the 1956 Act, for acquisition.



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9.14 Further, at paragraph Nos.100 & 102, in the case of **PV Krishnamurthy**, the Hon'ble Apex Court had dealt with the aspect of reverting back of the subject lands to the respective land owners and the relevant portion reads as follows:

100. Reverting to the dictum of this Court in Karnataka Industrial Areas Development Board (supra), it must be understood to mean that the declaration under Section 3D regarding acquisition of notified land, be made only after environmental/forest clearance qua the specific land is granted. To put it differently, the necessity of prior environmental/forest clearance would arise only if finally, the land in question (site specific) is to be notified under Section 3D, as being acquired for the purposes of building, maintenance, management or operation of the national highway or part thereof. Such interpretation would further the cause and objective of environment and forest laws, as also not impede the timeline specified for building, maintenance, management or operation of the national highway or part thereof, which undeniably is a public purpose and of national importance. This would also assuage the concerns of the land owners that even if eventually no environment permission or forest clearance is accorded, the land cannot be reverted to the original owner as it had de jure vested in the Central Government upon issue of notification under Section 3D of the 1956 Act and no power is bestowed on the Central Government under this Act to withdraw from acquisition.



101.

102. *The argument of the writ petitioners that the expression “shall” occurring in Section 3D(1) be interpreted as “may”, though attractive on the first blush, deserves to be rejected. If that interpretation is accepted, it would render the efficacy of Section 3D(3) of lapsing of the acquisition process otiose. It is a mandatory provision. Instead, we have acceded to the alternative argument to give expansive meaning to the proviso in Section 3D(3) of the 1956 Act by interpretative process, including by invoking plenary powers of this Court under Article 142 of the Constitution to hold that the dictum of this Court in Karnataka Industrial Areas Development Board (supra) be regarded as stay granted by the Court to all notifications issued under Section 3A of the 1956 Act until the grant or nongrant of permissions by the competent authorities under the environmental and forest laws, as the case may be, including until the stated permissions attain finality. In other words, time spent by the executing agency/Central Government in pursuing application before the concerned authorities for grant of permission/clearance under the stated laws need to be excluded because of stay by the Court of actions (limited to issue of notification under Section 3D), consequent to notification under Section 3A. Thus, the acquisition process set in motion upon issue of Section 3A notification can go on in parallel until the stage of publication of notification under Section 3D, which can be issued after grant of clearances/permissions by the competent authority under the environment/forest laws and attaining finality thereof.*

(*** Emphasis supplied)



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9.15 In the above paragraphs, it has been stated that “*after the issuance of Section 3D Notification, even if no environment clearance is accorded, the land cannot be reverted to the original owner since no power is bestowed on the Central Government under the National Highways Act to withdraw from acquisition*”, which means, in terms of the National Highways Act, if no clearance is obtained or even if any conclusion arrived at to the extent that the subject lands will not be used for the purpose of that Act, no provision is available for reverting back of the land to the respective land owners. May be, by keeping the said aspect in mind, the Hon'ble Apex Court has held at paragraph Nos.100 & 102 that Environmental Clearance has to be obtained prior to the issuance of Section 3D Notification, in order to protect the interest of land owners.

9.16 As far as the observation made, at paragraph No.102 of ***PV Krishnamurthy*** case, with regard to the receipt of Environmental Clearance is concerned, it is not in consonance with the paragraph Nos.79, 86, 93 & 97 of the very same judgement, 2006 Notification & 2014 OM, wherein it has been categorically held that the Environmental



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Clearance is required to be obtained only prior to the commencement of actual construction work or execution of proposed work, which would occur only after the entrustment of land to NHAI and even after entrustment, NHAI cannot commence the construction work or proposed work until the receipt of Environmental Clearance. Therefore, this Court is inclined to go with the findings of the Hon'ble Apex Court at paragraph Nos.79, 86, 93 & 97, which is in consonance with 2006 Notification and 2014 OM.

9.17 As stated above, at paragraph No.79 of *PV Krishnamurthy* case, the Hon'ble Apex Court held that the Environmental Clearance is required to be obtained not prior to the issuance of Section 3D Notification but before the commencement of any construction work at the project site. Such commencement would occur only after the entrustment of subject lands to NHAI. At the time of issuance of Section 3D Notification, the lands will only be vested with Government. Therefore, it is crystal clear that Environmental clearances is not required to be obtained before issuance of Section 3D Notification but prior to the commencement of construction work by NHAI.



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9.18 To substantiate the above aspect, it would be apposite to, once again, extract the relevant portion of paragraph No.79 of ***PV Krishnamurthy case***, wherein the procedures for land acquisition was elaborately explained and it was categorically held that the clearance/permission has to be obtained prior to the commencement of construction work or implementation of the project, which would happen only after the land is vested in the NHAI or the NHAI was to be entrusted with the development work of concerned National Highway by the Central Government. The relevant portion reads as follows:

“79.The environmental/forest clearance, however, is, required to be obtained by the executing agency in terms of this notification “before commencing the actual work or executing the proposed work/project”. That would happen only after the land is vested in the NHAI or the NHAI was to be entrusted with the development work of concerned national highway by the Central Government in exercise of powers under [Section 5](#) of the 1956 Act read with Section 11 of the 1988 Act. The land would vest in the Central Government under the 1956 Act only after publication of declaration of acquisition under [Section 3D](#). And until then, the question of Central Government vesting it in favour of NHAI under Section 11 of the 1988 Act would not arise. However, until the vesting of the land, the Central Government and its authorised officer can undertake surveys of the notified lands by entering upon it in terms of [Section 3B](#) of the Act. Pertinently, the activities



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predicated in Section 3B are of exploration for verifying the feasibility and viability of land for construction of a national highway.”

9.19 In the above paragraph, the Hon'ble Apex Court had clearly explained the procedures involved in acquisition of land. Initially, Section 3D Notification has to be issued, by virtue of which, the subject lands have to be vested with Government. Thereafter, the said lands will be entrusted to the concerned executing agency, after which, the NHAI would commence the actual work or execution of proposed work/project. Therefore, as per the ruling at paragraph No.79 of the ***PV Krishnamurthy case***, upon the issuance of Section 3D Notification, only the lands will be vested with the Government and it will not amount to entrustment of lands with NHAI. Only subsequent to the entrustment, the NHAI would commence the construction of building and other developmental activities, that too, after the receipt of Environmental Clearance.

9.20 At this juncture, it would also pertinent to note that the issue before the Hon'ble Apex Court was as to whether the Environmental



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Clearance is required to be obtained prior to Section 3A Notification or not. The said judgements was passed only on the aspect as to whether the Environmental Clearance is required to be obtained before issuance of Section 3A Notification or not. Ultimately, the Hon'ble Apex Court had concluded that before issuance of Section 3A Notification, there is no requirement for obtaining the Environmental Clearance and the same shall be obtained prior to the commencement of construction work.

9.21 Therefore, at no stretch of imagination, one could construed that immediately upon issuance of Section 3D notification, the construction works or preparation of lands would commence. In terms of the order passed by Hon'ble Apex Court at paragraph No.79 of ***PV Krishnamurthy*** case, unless and otherwise the land is entrusted with NHAI by the Central Government, the question of developmental activities, as mentioned in 2006 Notification, would not arise and even NHAI cannot commence the project prior to the obtaining of Environmental Clearance.



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9.22 When such being the case, the view took by the Hon'ble Apex

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Court by way of restrictions at paragraph No.102 of the ***PV Krishnamurthy case***, to the extent that Environmental Clearance is required to be obtained prior to the issuance of Section 3D Notification, is only to safeguard the interest of the land owners since there was no provision for withdrawal of acquisition and reverting back the lands to the original owners in terms of National Highways Act. However, in the present matter, sufficient protection is available to the land owners by virtue of 1st and 2nd proviso to Section 4(1) of the 1997 Act and the said restrictions will not apply for the present case. Even assuming if the said protection is not available for reverting the land back to the land owners, and if the purpose, for which the lands were acquired under Section 3 of the 1997 Act, was not achieved, certainly, the respective land owners shall make an application for returning the land, in which case, the respondent-Department is bound to return the same.

9.23 As contended by the respondents, the present case is pertaining to the Tamil Nadu Acquisition of Land for Industrial Purposes



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Act, 1997. Unlike the National Highways Act, in the 1st and 2nd proviso to

Section 4(1) of the 1997 Act, sufficient protection is provided to the land

owners and the relevant provisions are as follows:

4.Land acquired to vest in Government free from all encumbrances.- (1)When a notice under sub-section (1)of Section 3 is published in the Tamil Nadu Government Gazette, the land to which the said notice relates shall, on and from the date of such publication, vest absolutely in Government free from all encumbrances:

Provided that if before actual possession of such land is taken by, or on behalf of the Government, it appears for the Government, that the land is no more required for the purpose of this Act, the Government, may, by notice published in the Tamil Nadu Government Gazette, withdraw the land from acquisition. On the publication of such notice the land shall revert with retrospective effect in the person from whom it was divested on the issue of order under sub-section (1) of section 3, subject to such encumbrances, if any, as may be subsisting at that time:

Provided further that the owner and other persons interested shall be entitled to payment of an amount as determined in accordance with the provisions of section 7 for the damage, if any, suffered by them in consequence of the acquisition proceedings.

9.24 From the above, it is clear that as per the 1st proviso, if no clearances/permission is obtained by the respondent, certainly, the subject lands have to be reverted back to the respective land owners and as per



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the 2nd proviso, the said land owners are entitled for compensation/ damages for the period from the date of acquisition till the date of reverting back. Therefore, the interest of the land owners are duly protected vide the above provisions.

9.25 Therefore, I am of the considered view that except securing the land, all the other construction activities would happen only when the property is entrusted by the Government with the SIPCOT. At the stage of issuance of Section 3(1) Notification, only the property will be vested with Government and the entrustment of the said property with the SIPCOT will be subsequent event. Only after such entrustment, the commencement of construction work or preparation of land for project/work would arise, that too after the allotment of land to respective allottees to set up the Industries.

9.26 In view of the above, it is crystal clear that Section 3(1) Notification cannot be construed as commencement of construction work or preparation of land by project management. The actual construction



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work or preparation of land would happen only after the entrustment of subject lands to SIPCOT. Therefore, there is no bar either under the Statute or by the Apex Court Ruling, in *PV Krishnamurthy* and *C.Kenchappa* cases, for obtaining Environmental Clearance up to the stage of entrustment of land to SIPCOT by the Government, but before the commencement of construction work or preparation of land, the SIPCOT must obtain Environmental Clearance Certificate. Accordingly, the 1st issue is hereby answered.

10. Issue No.2: Whether Section 3(1) Notification can be issued, under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, before obtaining the Environmental Clearance ?

10.1 This issue can be answered by referring the provisions of Clause 2 of 2006 Notification (extracted supra). In the said Notification, it has been clearly stated that prior to the receipt of Environmental Clearance, no construction works or preparation of lands by the project management would occur.

10.2 While answering the 1st issue, this Court had elaborately discussed about the procedures involved in acquisition of land and



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arrived at a conclusion that at any cost, issuance of Section 3(1)

Notification cannot be construed as commencement of construction work or preparation of land by the Project Management. Upon issuance of Section 3(1) Notification, the properties will vest with the Government. Thereafter, the Government has to take steps to entrust the said lands to SIPCOT. Even after the issuance of Section 3(1) Notification, no construction work or preparation of land by project management would happen in the land of Government.

10.3 As per the 2006 Notification, before obtaining Environmental Clearance, there is no prohibition for securing the land, i.e., there is no bar for vesting the land in favour of the Government by virtue of issuance of Section 3(1) Notification. As discussed above, once the vesting of land is completed, the same will not amount to automatic commencement of any construction works or preparation of lands by the project management.



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10.4 Further, as per Schedule 7(c), the subject lands, pertaining to the present batch of petitions, fall under the category A, for which, the Environmental Clearance is required to be obtained prior to the commencement of construction works or preparation of land by the Project Management. As already held by this Court, at no stretch of imagination, one could construe that the construction works or preparation of lands by the project management would occur automatically upon issuance of Section 3(1) Notification.

10.5 Hence, it is clear that Section 3(1) Notification is issued only for vesting of properties with the Government. Merely by issuing said Section 3(1) Notification, the question of commencement of construction work or preparation of land by project management would not arise. As per 2006 Notification, the said aspect would happen only after the entrustment of subject lands to SIPCOT. Even after such entrustment, the SIPCOT cannot commence any construction work without obtaining Environmental Clearance.



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10.6 In view of the above, this Court has no hesitation to hold that immediately upon issuance of Section 3(1) Notification, no commencement of construction work or preparation of land by project management would occur as held by the Hon'ble Apex Court in ***PV Krishnamurthy case***. No such mandate has been provided either in 2006 Notification or in 2014 OM. When such being the case, there is no bar for the respondents in issuing Section 3(1) Notification since the same would not amount to commencement of construction work or preparation of land by the project management. The said aspect would happen only after the entrustment of land by the Government to the SIPCOT. Even after such entrustment, the SIPCOT has to wait until the approval of Environmental Clearance for commencement of construction work or preparation of land in the project site. Accordingly, the 2nd issue is answered.

11. Other case laws referred by the petitioners:

11.1 Further, a reference was made to the judgment in ***C.Kenchappa*** case, wherein at paragraph No.100, it has been stated as follows:



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“100. The importance and awareness of environment and ecology is becoming so vital and important that we, in our judgment, want the appellant to insist on the conditions emanating from the principle of ‘Sustainable Development’.

(1) We direct that, in future, before acquisition of lands for development, the consequence and adverse impact of development on environment must be properly comprehended and the lands be acquired for development that they do not gravely impair the ecology and environment.

(2) We also direct the appellant to incorporate the condition of allotment to obtain clearance from the Karnataka State Pollution Control Board before the land is allotted for development. The said directory condition of allotment of lands be converted into a mandatory condition for all the projects to be sanctioned in future.”

11.2 A reading of above paragraph would makes it clear that a direction was issued by the Hon'ble Apex Court to the extent that the consequence and adverse impact of development on environment must be properly comprehended and the lands acquired for development that they do not gravely impair the ecology and environment.

11.3 Keeping the above order in mind, the Notification 2006 was issued by stating that before starting the acquisition process, the



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respondent had to conduct a thorough Environment Impact Study.

Accordingly, a study was conducted and after satisfaction of the respondents only, they have proceeded to acquire land and set up the project. Therefore, the direction issued by the Hon'ble Apex Court, vide **C.Kenjappa** case, has been duly followed by the respondents in this case.

11.4 Yet another reference was made to the order passed by the Hon'ble Division Bench of this Court in **M.Velu** case and the relevant portion of the said order reads as follows:

“45. Since the land acquisition proceeding is only in the preliminary stage now, we are of the view that before issuing the notification under Section 3(1) of the Act the authorities have to approach the statutory authority constituted under the environment (Protection) Act for environmental clearance. The report of the statutory authority must also be considered by the Government while dealing with the objections submitted by the land owners and the other interested persons, including the petitioner and the fifth respondent in pursuance of the notice issued under Section 3(2) of the Industrial Purposes Act.

DIRECTIONS:-

46. Therefore keeping in view the direction given by the Supreme Court in the Karnataka Industrial Areas Development Board case, (cited supra) we are inclined to issue the following directions:-



(1) The petitioner is granted liberty to make a comprehensive representation within fifteen days from the date of receipt of a copy of this order before the statutory authority constituted to hear objections relating to the land acquisition in question in pursuance to the notice issued under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. Similar liberty is granted to the fifth respondent also.

(2) The statutory authority exercising powers under the Industrial Purposes Act, simultaneous with the process of hearing the objections from the land owners, petitioner, fifth respondent and other interested persons should approach the State Level Environmental Impact Assessment Authority for prior environmental clearance before proceeding further in the matter of issuance of notice under Section 3(1) of the Act.

(3) In case the State Environmental Impact Assessment Authority gives clearance for the project in question, it would be open to the Government to proceed further with the acquisition of property.

(4) As undertaken by SIPCOT in their counter affidavit dated 6 February, 2007, appropriate provisions should be incorporated in the Lease Agreements mandating preservation of ecology and to maintain the ponds and other natural streams by the concerned industrial units.

11.5 As far as the Paragraph No.45 is concerned, in above case, it was recorded that no Environmental Assessment Study was made after obtaining acquisition order. However, in this case, as contended by the respondents, a thorough Environmental Impact Assessment Study was



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conducted and after that only the land acquisition process was initiated.

Therefore, the question of obtaining acquisition order/initiating the acquisition process without conducting Environment Impact Assessment Study would not arise in this case.

11.6 As far as the directions issued at Paragraph Nos.46(2) & 46(3) are concerned, in above case, the Hon'ble Division Bench had no occasion to consider the 2006 Notification. As discussed above, in terms of the said 2006 Notification, the question of obtaining Environmental Clearance would arise only before the commencement of any construction work or preparation of land by the project management, which would occur subsequent to the entrustment of land by the Government to SIPCOT as held by the Hon'ble Apex Court in the case of ***PV Krishnamurthy*** case at paragraph Nos.79, 86, 93 & 97. Therefore, the said directions will not apply to the present case at the stage of issuance of Section 3(1) Notification.



12.Findings:

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12.1 In the present cases, the procedures mentioned in 2006 Notification, 2014 OM and the law laid down by the Hon'ble Apex Court in ***PV Krishnamurthy*** case and ***C.Kenjappa*** case, have been duly adopted by the respondents. Therefore, I am of the considered view that Section 3(1) Notification was issued duly in accordance with 2006 Notification, 2014 OM and in compliance with paragraph Nos.79, 86, 93 & 97 of the order passed by the Hon'ble Apex Court in ***PV Krishnamurthy*** case.

12.2 As discussed above, in these cases, merely by vesting of land to Government would not amount to commencement of any construction work or preparation of land by the Project Management. Admittedly, the construction or other development works would commence only after obtaining the Environmental Clearance. Until then, the acquisition process shall go on parallelly as held by the Hon'ble Apex Court at paragraph Nos.93 & 95 of ***PV Krishnamurthy case***.



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12.3 As far as the cases in which, the Environmental Clearance is yet to be obtained are concerned, certainly, the respondents cannot commence any construction work until the receipt of said Environmental Clearance. The question of such commencement of construction work would arise only after the entrustment of subject land to SIPCOT. Thus, all the process can be completed, including the entrustment of land by the Government to SIPCOT. Subsequent to the entrustment of land to SIPCOT, it has to wait to commence the construction work and other developmental activities until the receipt of Environmental Clearance.

12.4 (a) In cases, wherever the Environmental Clearance was issued and no stay was obtained, there is no prohibition for the SIPCOT to commence the work or preparation of land.

(b) In cases, where enter upon permission as well as alienation order was issued and Environmental Clearance is granted, against which stay order is obtained, the SIPCOT shall defer the commencement of work until the vacation of said stay order.



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(c) In all other cases, the SIPCOT can commence the work after obtaining Environmental Clearance. As held by the Hon'ble Apex Court at paragraph No.79 of *PV Krishnamurthy case*, the lands can be entrusted to the SIPCOT. However, the SIPCOT has to wait for the purpose of commencement of construction work until the receipt of Environmental clearance. Therefore, as stated above, all the acquisition process, including the entrustment of land to SIPCOT, shall go on, but the commencement of construction work and other developmental activities shall be deferred until the receipt of Environmental Clearance.

12.5 Further, it is made clear that the order passed in the appeals, pending before the NGT, is only pertaining to the issue of Environmental Clearance and the same will not stall the acquisition process since the process of acquisition and the process of obtaining Environmental Clearances are parallel procedures until the stage of commencement of construction work. Therefore, mere pendency of appeals before NGT will not be a bar for acquisition process but the construction work and other



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development activities shall commence after the receipt of Environmental Clearance.

13.Result:

For all the reasons stated above, this Court is not inclined to entertain the present batch of cases. Therefore, all these writ petitions are dismissed as devoid of merits. All the interim stay/injunction orders granted in these writ petitions stand vacated. No cost. Consequently, the connected miscellaneous petitions are also closed.

25.02.2026

Speaking/Non-speaking order

Index: Yes / No

Neutral Citation: Yes / No

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