



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 13815 of 2019

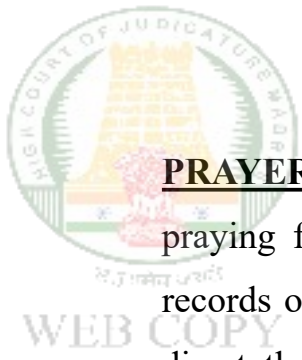
M/s.Binny Ltd.,
Having its registered office At No.1,
Cooks Road, Perambur,
Chennai 600 012.

Petitioner(s)

Vs

- 1.The Chief General Manager,
Southern Railway, Chennai 600 003.
- 2.The Chief Commercial Manager,
Southern Railway, Chennai 600 003.
- 3.The Divisional Manager,
Southern Railway, Divisional Office,
George Town, Chennai 600 003.
- 4.The Senior Divisional Engineer (Co-
Ordination),
Southern Railway, Chennai Division,
Chennai 600 003.
- 5.The Divisional Engineer (Central),
Southern Railway, Chennai Division,
Chennai 600 003.
- 6.The Additional Divisional Railway
Manager,
and Estate Officer, Southern Railway,
Chennai Division, Chennai 600 003.

Respondent(s)



PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records of the 6th respondent dated 13.02.2019 and quash the same and further direct the Respondents to reconvey the land measuring about 2.16 acres in Survey No.250/3 Perambur Village and Taluk, Chennai.

For Petitioner M/s.Narmada Sampath
For Respondent(s): Mr.M.Vijay Anand

ORDER

This writ petition has been filed challenging the order dated 13.02.2019 passed by the 6th respondent, by rejecting the petitioner's request to reconvey the land acquired from the petitioner.

2.Learned counsel for the petitioner would submit that the main ground to challenge the order impugned herein is that though the 6th respondent has extensively referred the agreement entered between the petitioner and the respondents vide Doc.No.1530 dated 25.08.1905, the copy of the said document was not furnished to the petitioner. Hence, there is a violation of principles of natural justice while passing the order dated 13.02.2019 by the 6th respondent.

3.Learned counsel appearing for the respondents would fairly submit that he is ready and willing to provide the copy of the Doc.No.1530 dated 25.08.1905 and produced the copy of the same to the learned counsel for the petitioner in the open Court. He would further submit that if the Court feels it appropriate, the matter may be remanded back to the 6th respondent.



4. Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondents and perused the materials available on record.

5. Upon hearing the submissions made by either parties, this Court is of the view that the only grievance of the petitioner is that the impugned order has been passed without furnishing the copy of the Doc.No.1530 dated 25.08.1905, which has been extensively referred in the impugned order and therefore, there is a violation of principles of natural justice. However, now the learned counsel for the respondents furnished the same to the learned counsel for the petitioner. Since the impugned order has been passed without furnishing the copy of the Doc.No.1530 dated 25.08.1905 and without providing an opportunity to the petitioner before passing the order dated 13.02.2019, the same is liable to be set aside. Accordingly, the impugned order dated 13.02.2019 is set aside and the matter is remanded back to the 6th respondent for fresh consideration. The petitioner is directed to give their reply to the 6th respondent, within a period of eight (8) weeks from the date of receipt of a copy of this order. On receipt of the said reply from the petitioner, the 6th respondent is directed to consider the same and pass orders after affording an opportunity to the petitioner within a period of four (4) weeks thereafter.



6. With the aforesaid direction, this writ petition is disposed of. No costs.

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(1/2)

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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KRISHNAN RAMASAMY J.
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AND WMP NO. 35530 OF 2023

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