

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.36716 of 2015

C.S.Rajasekaran

.. Petitioner

-vs-

1. The Govt. of Tamil Nadu
Rep. By its Secretary,
Department of Highways,
Fort St. George, Chennai.
2. The Divisional Engineer,
Highways Department,
Udhagamandalam,
Nilgiris District.
3. The District Collector,
Udhagamandalam,
Nilgiris & District.
4. The Tahsildar,
Coonoor Taluk,
Nilgiris District.
5. The Village Panchayat of Melur
Rep. By its President,
Coonoor Taluk,
Udhagamandalam, Nilgiris District.
6. M/s.Craigmore Plantations (India)
Pvt. Ltd., Rep. By its Deputy General
Manager, Kullakamby (PO),
Coonoor (Tk), Nilgiris District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 5 to take appropriate action to acquire the small portion of land in S.No.518/3, (446 mts x 15.6 mts) & S.No.498/3 (100 mts x 15.6 mts) situated at Melur Panchayat, Coonoor Taluk, Nilgiris District, under the Tamil Nadu Highways Act, 2001, based on the Tamil Nadu Requisitioning and Acquisition of Immovable Property Act, 1956, for public purpose and in particularly maintain ODR (Other District Road) and provide remedy to the Village people and other public.

For Petitioner : Mr.P.Vijendran

For Respondents: Mr.S.T.S.Murthi
Govt. Pleader, assisted by
Mr.V.Shanmuga Sundar,
Government Advocate for R.R 1 to 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner through the Public Interest Litigation seeks land of a third party to be acquired to facilitate the use for a road.

2. We are of the view that such a public interest litigation is not maintainable and if the Government is of the view that for any public purpose including for road some land has to be acquired in its opinion, then that would be done by the Government in accordance with law and as per statutes.

3. Writ Petition stands dismissed. No costs.
Sra

Sd/-

Assistant Registrar (CS.III)

सत्यमेव जयते

/True Copy/

To

Sub-Assistant Registrar

1. The Secretary,
Govt. of Tamil Nadu
Department of Highways,
Fort St. George, Chennai.

2. The Divisional Engineer,
Highways Department,
Udhagamandalam, Nilgiris District.

3. The District Collector,
Udhagamandalam,
Nilgiris & District.

4. The Tahsildar,
Coonoor Taluk, Nilgiris District.

5. The President,
Village Panchayat of Melur
Coonoor Taluk,
Udhagamandalam,
Nilgiris District.

+1 C.C. To MR.P.Vijendran, Advocate in SR.NO.63095

+1 C.C. To Government Pleader in SR.NO.62892

W.P.No.36716 of 2015

CA(CO)
sd : 08/12/2015



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