

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.4.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9677 of 2015

Somangalan Land Owners Welfare Association
Rep.by its President
No.125, Lakshmi Nagar
Second Main Road,
Valasaravakkam, Chennai -600 087

... Petitioner

Versus

1. The District Collector
Office of the District Collector
Kancheepuram
2. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Kancheepuram.
3. The Tahsildar
Office of the Tahsildar
Sriperumbudur
4. Block Development Officer
Kundarathur, Padappai
Kancheepuram
5. The Inspector of Police
Manimangalam Circle
Somangalam Police Station
Kancheepuram District

... Respondents

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the 1st respondent to appoint any appropriate Authority to study regarding the acquisition of Land without any bias and submit the report based on the recommendations given by the 4th respondent proceedings Na.Ka.No.484/2009/P1 dated 30.1.2009 and Na.Ka.No.684/2009 dated 4.10.2010 in order acquire the Land in Survey No.73A/3 admeasuring 0.06 & 1/2 cents in Somangalam Village Sriperumbudur Taluk and lay road to connect the 3 villages viz.

Somangalam Ammarambedu and Metturkolthur to reduce the distance of travelling from 9km to 2km among the Villages and give NOC from the respondents for the use of public road in the adjacent poramboku vacant land comprised survey No.541 and 73A/2 Somangalam Village.

For Petitioner : Mrs. Bharathi

For R1 to R3 and R5 : Mr.S.Gunasekaran
Government Advocate

For R4 : Mr.N.Srinivasan

ORDER

Writ petition has been filed seeking for issuance of mandamus directing the 1st respondent to appoint any appropriate Authority to study regarding the acquisition of Land without any bias and submit the report based on the recommendations given by the 4th respondent proceedings Na.Ka.No.484/2009/P1 dated 30.1.2009 and Na.Ka.No.684/2009 dated 4.10.2010 in order acquire the Land in Survey No.73A/3 admeasuring 0.06 & 1/2 cents in Somangalam Village Sriperumbudur Taluk and lay road to connect the 3 villages viz. Somangalam Ammarambedu and Metturkolthur to reduce the distance of travelling from 9km to 2km among the Villages and give NOC from the respondents for the use of public road in the adjacent poramboku vacant land comprised survey No.541 and 73A/2 Somangalam Village.

2. Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the respondents 1 to 3 and 5 and the learned counsel for the fourth respondent.

3. The prayer sought for by the petitioner cannot be granted as it is. It is for the 1st respondent, who is the concerned authority to decide the matter, based on the recommendations given by the fourth respondent. The petitioner has also not challenged the order dated 23.01.2015.

4. Hence, I direct the respondents to pass appropriate orders on merits and in accordance with law on the representations of the petitioner dated 25.2.2014; 10.10.2014 and 07.2.2015, after affording an opportunity to the petitioner and the concerned parties, including the persons, who are likely to be affected by the order to be passed, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order, if there is no other legal impediment.

The writ petition is disposed of accordingly. No costs.
Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
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2. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
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3. The Tahsildar
Office of the Tahsildar
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4. Block Development Officer
Kundarathur, Padappai
Kancheepuram
5. The Inspector of Police
Manimangalam Circle
Somangalam Police Station
Kancheepuram District

+1cc to Mr.E.Martin Jeyakumar, Advocate, S.R.No.18948
+1cc to the Government Pleader, S.R.No.18727

KU(CO)
CA(16/04/2015)

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