

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.15746 of 2016 and
W.M.P.No.13673 of 2016

J.Prema

...Petitioner

Vs.

1. The Land Acquisition Officer,
Chennai Metro Rail and Revenue Divisional Officer,
Ambattur, Chennai.
2. The State of Tamil Nadu,
rep. by its Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 9.
3. The Chennai Metro Rail Limited
Koyambedu, Chennai.
(R-3 suo motu impleaded as per order of this
Court, dated 27.04.2016. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records, relating to the proceedings of the first respondent, dated 11.03.2016, made in Na.Ka.No.3/L.A.CMRP/2016, and to quash the same.

For Petitioner : Mr.K.Rajasekaran

For Respondents 1 and 2 : Mr.R.Rajeswaran
Special Government Pleader

For Respondent -3 : Mr.Jayeesh B.Dolia

ORDER

Heard Mr.K.Rajasekaran, the learned counsel appearing for the petitioner, Mr.R.Rajeswaran, learned Special Government Pleader, accepting notice for respondents 1 and 2 and Mr.Jayeesh B.Dolia, the learned counsel, accepting notice for third respondent. With the consent of parties, the main Writ Petition is taken up for final disposal at the stage of admission.

2. The petitioner has filed this Writ Petition for issuance of a writ of certiorari to quash the order passed by the first respondent, dated 11.03.2016.

3. The petitioner is aggrieved by the action of the first respondent in not considering her objection in a proper perspective. On a perusal of the impugned proceedings, dated 11.03.2016, it is seen that all the points raised by the petitioner have not been considered fully, and the impugned order appears to be a standard reply. Faced with this situation, the learned Special Government Pleader appearing for respondents 1 and 2 submits that the first respondent may be directed to give one more opportunity to the petitioner, and consider the matter on merits.

4. Accordingly, the Writ Petition is allowed, the impugned order, dated 11.03.2016 is set aside, and the petitioner is directed to appear in person before the first respondent on 11th May, 2016, produce all the records and raise all contentions, and thereafter, the first respondent shall pass fresh orders on merits and in accordance with law. The submission of the learned Special Government Pleader for respondents 1 and 2 that the land acquisition proceedings are only at the stage of 3 (2) enquiry, is placed on record. No costs. Consequently, connected Miscellaneous Petition is closed.

sd

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Land Acquisition Officer,
Chennai Metro Rail and Revenue Divisional Officer,
Ambattur, Chennai.
2. The Secretary to Govt.
State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai - 9.
3. The Chennai Metro Rail Limited
Koyambedu, Chennai.

+ 1 cc to Mr.K.Rajasekaran, Advocate SR 27637

scd(co)
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