

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.12.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Writ Petition No.1583 of 2003

M.Haridoss

...Petitioner

-Versus-

1. The Collector of Kancheepuram District
Collectorate, Kancheepuram - 631 501.
 2. The Deputy Tahsildar (Land Acquisition)
Radial Road Scheme,
Kelambakkam, Chengalpattu Taluk
Kancheepuram District.
 3. The Divisional Engineer
Radial Roads Package-I
Transport & Machinery Division
Guindy, Chennai-600 025.
- ... Respondents

Petition filed under Section 226 of the Constitution of India praying for issuance of a writ of mandamus, to direct the respondents herein to pay a compensation of Rs.7 Lakhs to the petitioner.

For Petitioner : Mr.N.Maninarayanan

For Respondents : Mr.V.Jayaprakash Narayan
Spl.GP

ORDER

This writ petition has been filed to direct the respondents herein to pay a compensation of Rs.7 Lakhs to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. It is the case of the petitioner that he is the owner of the property at No.22, Radial Road (Old Mahabalipuram Road), Kandanchavadi, Chennai-96 in S.No.39/1, Perungudi Village. On 23.11.2002, the respondents had demolished the petitioner's property. It is the contention of the petitioner that demolition was done even without notice to him.

4. It is seen that the petitioner's property was acquired by the Government under the Land Acquisition Act. If it is the contention of the petitioner, that the acquisition of land and demolition of his property were illegal, the remedy that was available to him was to file a civil claim for compensation after issuing necessary statutory notices and not to file a writ petition. Further, in the writ proceedings, disputed questions of fact cannot be gone into.

In the result, this petition is dismissed as being devoid of merits. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

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+1 CC To Government Pleader, sr 72978.

W.P.No.1583 of 2003

RMP (14/02/2017)