



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **K.RAVICHANDRABAABU**

W.P. (MD)No.1028 of 2015

and

M.P. (MD)No.2 of 2015

1.Chandrakumar
2.Rajalingam
3.Udayakumar

: Petitioners

Vs.

1.The Special District Revenue Officer,
(Land Acquisition),
National Highways (NH-226),
Pudukottai Collectorate,
Pudukottai.

2.The Special Tahsildar,
(Land Acquisition),
National Highways (NH-226),
Sivagangai.

3.The Chief Conservator of Forest,
Chennai.

4.The District Forest Officer,
Sivagangai.

5.The District Collector,
Sivagangai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, forbearing the respondents 1 and 2 from acquiring lands in S.F.No.202 of Kanjirangal Village, which is in possession and enjoyment of the petitioners without considering their objections on merits.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

**O R D E R**

The petitioners seek for a Mandamus, to forbear the first and second respondents from acquiring lands at S.F.No.202 of Kanjirangal Village, which, according to the petitioners, is in their possession and enjoyment.

2. After notice, the first and second respondents filed a counter-affidavit, wherein it is stated that the subject matter land has already been acquired under the National Highways Act, by resorting to the due procedure contemplated under the said Act.

3. Such being the factual position, I do not think that anything survives in this Writ Petition to be considered further on merits. Accordingly, the Writ Petition is dismissed as infructuous. If any other remedy is available to the petitioners, it is for them to exercise the same in accordance with law, as provided under the Act, under which, the acquisition was made, if at all the petitioners have any semblance of right or title over the said land. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-
Deputy Registrar

/True Copy/

Sub Assistant Registrar

SML

To

1.The Special District Revenue Officer,
(Land Acquisition), National Highways (NH-226),
Pudukottai Collectorate, Pudukottai.

2.The Special Tahsildar,
(Land Acquisition), National Highways (NH-226),
Sivagangai.

3.The Chief Conservator of Forest, Chennai.

4.The District Forest Officer, Sivagangai.

5.The District Collector, Sivagangai District.

+1cc to Spl.Government Pleader Sr.No. 79982

+1cc to Mr.P.Ganapathi Subramanian Advocate Sr.No. 79900

JAM/27.12.16/RR/ 2p-8c