

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Writ Appeal Nos.1029, 1030, 1031 and 1032 of 2018
and
C.M.P.Nos.8617, 8618, 8619 and 8620 of 2018

Nambi Gnanasambandam
S/o.s.Gnanasambandam
represented by his mother and
Power of Attorney Agent
G.Rajeswari

... Appellant in WA.No.1029 of 2018

S.Revathi
W/o.S.Sankaran

... Appellant in WA.No.1030 of 2018

D.Premkumar
S/o.V.A.Dorai Raj
represented by his father and
Power of Attorney Agent
V.A.Dorai Raj

Appellant in WA.No.1031 of 2018

P.B.Sivaraj Mohan
S/o.P.C.Balakrishnan
represented by his
Power of Attorney Agnet
M.V.Jayakumar
S/o.M.Velu

.. Appellant in WA.No.1032 of 2018

WEB COPY
Vs

1.The Secretary to Government,
Highways Department,
Fort St.George,
Chennai - 600 009.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.Special Duty Collector - Land Acquisition,
Tamil Nadu Urban Development Project-III,
No.15, M.G.Nagar, Main Road,
Poonamallee, Chennai - 600 056.

.. Respondents in all WAs

Writ Appeals filed under Clause 15 of the Letters Patent Appeal against the order made in W.P.Nos.37716, 38440, 38441 and 38442 of 2015 dated 01.03.2018 by the learned Single Judge of this Court.

WP No.37716 of 2015

Calling for the records relating to the impugned public notice dated 6.11.2015 Ref.No.377/2014/B1 published by the respondents in one issue of the New Indian Express dated 9.11.2015 in so far as the same relates to the petitioners plot of land in Plot No. 109, in Shanthi Niketan Layout, measuring 1960 sq.ft (182 sq.mtrs.) comprised in Survey No.406/265 Old Survey No.406/3A1A, Okkiam Thoraipakkam Village, Sholingnallur Taluk, Kancheepuram District (formerly Tambaram Taluk) and quash the same and direct the respondents not to proceed with the acquisition of petitioners land under T.N.Act 34 of 2002 (Tamil Nadu Highways Act 2001)

WP No.38440 of 2015

Calling for the records relating to the impugned Public Notice dated 6.11.2015 Ref.No.377/ 2014/B1 issued by the 3rd respondent in so far as the same relates to the petitioner house and plot in Plot No.110, measuring 2000 sq.ft. (185 sq.mtrs) comprised in Survey No.406/178 Okkiam Thoraipakkam Village, Sholingnallur Taluk, Kancheepuram District, (Formerly Tambaram Taluk) and quash the same and direct the respondents not to proceed with the acquisition of petitioner and under T.N.Act 34 of 2002 (Tamil Nadu Highways Act 2001)

WP No.38441 of 2015

Calling for the records relating to the impugned Public Notice dated 6.11.2015 Ref.No.377/ 2014/B1 issued by the 3rd respondent in so far as the same relates to the petitioner plot of land in Plot No.150, measuring 3216 sq.ft. (269 sq.mtrs) and the existing new residential building therein comprised in Survey No.406/260, Old Survey No.406/3A1A, Okkiam Thoraipakkam

Village, Sholinganallur Taluk, Kancheepuram District, (Formerly Tambaram Taluk) forming part of the layout of house sites known as Shanthi Nikethan Layout and quash the same and direct the respondents not to proceed with the acquisition of petitioner and under T.N.Act 34 of 2002 (Tamil Nadu Highways Act 2001)

WP No.38442 of 2015

Calling for the records relating to the impugned Public Notice dated 6.11.2015 Ref.No.377/ 2014/B1 issued by the 3rd respondent in so far as the same relates to the petitioner plot of land in Plot No.149, measuring 4405 sq.ft. (393 sq.mtrs) comprised in Survey No.406/318, Okkiam Thoraipakkam Village, Sholinganallur Taluk, Kancheepuram District, (Formerly Tambaram Taluk) forming part of the layout of house sites known as Shanthi Nikethan Layout and quash the same and direct the respondents not to proceed with the acquisition of petitioner and under T.N.Act 34 of 2002 (Tamil Nadu Highways Act 2001)

For Appellants : Mr.R.Sundara Kamesh
[in all W.As.]

For Respondents : Mr.V.Anandhamoorthy
[in all W.As.] Additional Government Pleader

COMMON JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J]

The challenge in these Writ Appeals is to the order of the learned Single Judge made in W.P.Nos.37716, 38440, 38441 and 38442 of 2015 dated 01.03.2018.

2. The Writ Petitions were filed by the appellants challenging the land acquisition proceedings initiated by the State Government under the Tamil Nadu Highways Act, 2001. The learned Single Judge, by judgment dated 01.03.2018, dismissed the Writ Petitions. Aggrieved, the present appeals have been filed by the land owners.

3. Today, when the matters were taken up for hearing, Mr.Anandhamoorthy, the learned Additional Government Pleader, produced a communication dated 02.07.2018 addressed to the Special Tahsildar by the Divisional Engineer (Highways), Chennai Metropolitan Development Scheme, stating that the lands belonging to the appellants are no longer required for the purpose of development of Highways in view of the revised alignment of the scheme and hence, the land acquisition proceedings are to be dropped.

Recording the same, the Writ Appeals are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gm

To

- 1.The Secretary to Government,
Highways Department,
Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Special Duty Collector - Land Acquisition,
Tamil Nadu Urban Development Project-III,
No.15, M.G.Nagar, Main Road,
Poonamallee, Chennai - 600 056.

+4cc to Mr.S.Thankasivan, Advocate, S.R.No.44647

+1cc to the Government Pleader, S.R.No.45299

Writ Appeal Nos.1029, 1030, 1031 and 1032 of 2018

GMR(CO)
GSP(20/07/2018)

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