

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15228 of 2009

1. K.Munusamy
2. M.Dhanlakshmi (Deceased)
3. M.Magesh Kumar

4. Minor Bhavani
rep. by her father & Natural
Guardian M.Munusamy

(P3 & P4 are substituted in the
place of deceased P2 as per order
dated 14.12.2009 by KCJ in
M.P.No.2 of 2009 in
W.P.No.15228 of 2009.)

... Petitioners

Vs

1. The Collector,
Tiruvellore District,
Tiruvellore.

2. The Thasildar,
Ambattur Taluk
Tiruvellore District.

3. The Superintending Engineer
Highways Department,
Chennai Division,
No.299, Anna Salai,
Chennai-600 006.

4. The Assistant Divisional Engineer,
High ways Department,
No.3, Station Road,
Venkatapuram, Ambattur,
Chennai-600 053.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to issue necessary orders for payment of compensation in respect of illegal acquirement of the Petitioners' property to the extent of 1200 Sq.Ft. for the purpose of forming out the Vinayagapuram Red Hills High Road situated at Plot No.1 and 1A of Vignesh Nagar Layout, situated

at Madhavaram Madura Vinayagapuram Village, Ambatur Taluk, Tiruvellore District comprised in Survey Nos.1445/1A/2 and as per Patta Nos.5622 and 4906 New Survey Nos.1445/1A2A/1A3 and 1445/1A2A/1A2.

For Petitioners : M/s.S.Kanmani Annamalai
For Respondents : Mr.K.Ravi Kumar,
Additional Government Pleader
for R1 and R2
Mr.J.Ramesh,
Additional Government Pleader
for R3 and R4

ORDER

The prayer made in this writ petition is to direct the respondents to issue necessary orders for payment of compensation in respect of acquirement of the Petitioners' property situated at Survey No.1445/1A/2 for the purpose of forming the Vinayagapuram Red Hills High Road.

2. When the matter was taken up for consideration, the learned counsel for the 4th respondent has filed the Status Report dated 07.12.2017, from which, it is apparent that there is no land acquisition proceedings in respect of the property in question, as claimed by the petitioners. For better appreciation, the relevant paragraph of the aforesaid report is extracted hereunder :-

3. In this connection, it is submitted that the writ petitioners properties in Survey No.1445/1A2 in front of Lakshmipuram - Puzhal road were not acquired by Highways Department for widening of the above Road so far. Further it is submitted that Writ Petitioners patta land is required for further widening existing Road in future, the land will be acquired as per land acquisition act prevailing now".

3. In the light of the Status report filed by the 4th respondent, it is unnecessary to pursue this writ petition. Hence, recording the averments so made in the status report, the writ petition stands closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gbi/vsi2

To

1. The Collector,
Tiruvellore District,
Tiruvellore.

2. The Thasildar,
Ambattur Taluk
Tiruvellore District.

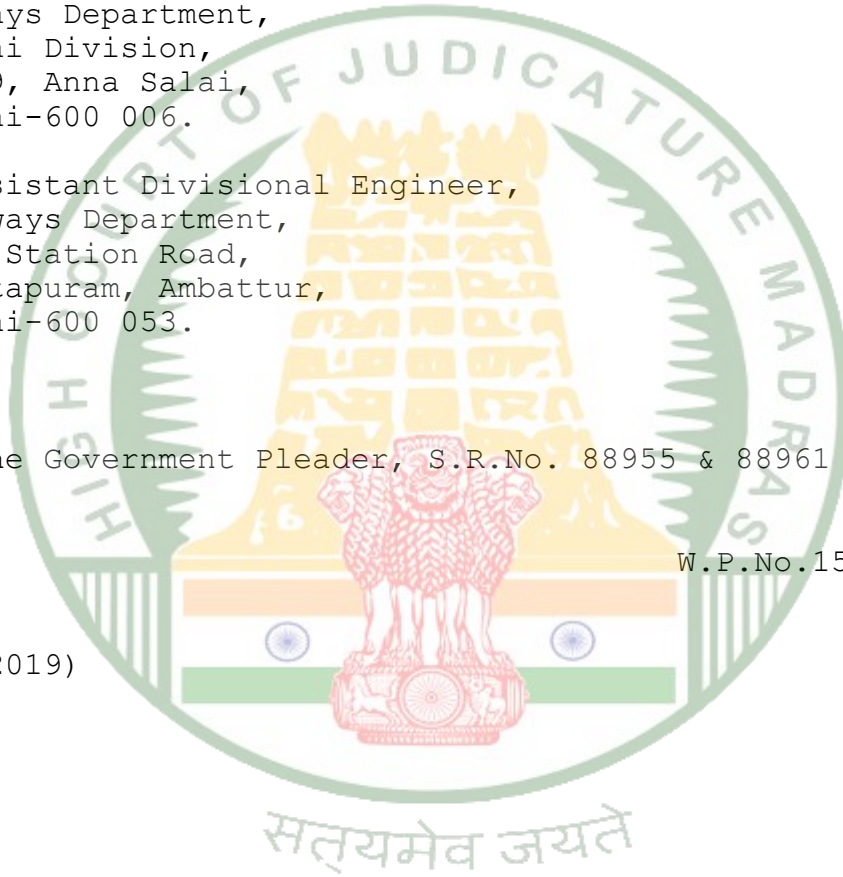
3. The Superintending Engineer
Highways Department,
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4. The Assistant Divisional Engineer,
High ways Department,
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Chennai-600 053.

+2cc to the Government Pleader, S.R.No. 88955 & 88961

W.P.No.15228 of 2009

KK(CO)
GN(24/01/2019)



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