

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 26.07.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.Nos.4794, 4795, 3150 of 2014, 29532, 29533 of 2015
and 26203 of 2015

M.P.Nos.1,1,1,2,2,2 of 2014, 1,1,1,2 of 2015 and
WMP.Nos.1795, 1796, 1793 of 2018 and 7498 of 2016

1.M.SUKUMAR ...Petitioner in W.P.No.4794 of 2014

2.R.DEVARAJ ...Petitioner in W.P.No.4795 of 2014

3.J.MOHAN

4.J.GANESH KUMAR

..Petitioner in W.P.No.3150 of 2014,29532& 29533/2015.

5.P. Thanga Mariappan

..Petitioner in W.P.No.26203/2015.

Vs

1. The Government of India,
Rep. by its Secretary to Government,
Ministry of Road Transport and Highways Department,
New Delhi.

2. The National Highways Authority of India,
Ministry of Road Transport and Highways,
G5 & 6, Sector 10, Dwarka, New Delhi - 110 075.

..Respondents 1 & 2 in all W.Ps

3. The Special Tahsildar (Land Acquisition),
National Highways,
Poonamallee,
Thiruvallore District.

..R3 in W.P.4794,4795 & 3150/2014.

4. The Project Director,
The National Highways Authority of India,
No.1/54-28, Butt Road, Near Kathipara Junction,
St. Thomas Mount, Chennai - 600 016.

..R4 in all W.Ps

5. Competent Authority (Cum)
Special District Revenue Officer (L.A)
Kanchipuram & Tiruvallore District Camp at
Tahsildar Office Poonamalle

..R3 in W.P. 29532,29533,26203/2015,
W.P.4795 & 3150/2014.

Prayer in W.P.No.4794 of 2014 :- The Writ Petitions are filed under Article 226 of the Constitution of India, seeking for Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings of the 1st respondent herein in the Notifications under Section 3 (D) (1) of the National Highways Act 1956 in S.O. 2095 (E), dated 09.07.2013 and the notifications under Section 3 (G) of the National Highways Act published in the New Indian Express dated 14.08.2013 insofar as it relates to the lands of the petitioner herein in Nallur Village in a) Survey No.13/1A1B1 b) Survey No.13/1A2A measuring and extent of 263 Sq. Meters and in S.No. 13/1BI measuring an extent of 366 sq.ft c) S.No. 13/16/A,13/1C1C respectively and quash the same and forbear the respondents from interfering with the peaceful possession and enjoyment of the petitioners' land and building thereon. (W.P.4794,4795 &3150/2014)

W.P.29532 & 29533/2015:

Writ Petition is filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus any other writ order or direction particularly in the nature of Writ of Certiorarified Mandamus calling relating to the impugned notice issued by the 3rd respondent in Na. Ka. No. 479/2013/Acq/NH5 dt 19.6.2015 in respect of Survey No. 13/1c1c , and 13/1c1b(New Survey No.13/3) (New Survey No. 13/4) in Nallore Village and quash the same and forbear the respondents their men servants agents or anyone claiming under them from in any manner interfering with the peaceful possession and enjoyment of the aforesaid land and building thereon in W.P.29532 & 29533/2015 respectively.

W.P. 26203/2015:

calling for the records of the 1st respondent herein relating to the notification under Sec. 3(D)1 of the National Highways Act 1956 under Ref. SO 2095 E dated 9.7.2013 of the 1st respondent herein and the notice dated 19.6.2015 in Na.Ka.NO.479/2013.A/NH-5 of the 3rd respondent herein and quash the same in so far as it relates to the lands of the petitioner in Survey NO.13/1D1 of an extent of 483 Sq.meters in Nallur Village Trivellore District.

For Petitioner : Mr.AL.Ganthimathi
(in W.P.No.4794 of 2014)

For Respondents : No Appearance, for RR1 & 2
(in W.P.No.4794 of 2014) Mr.Akhil Akbar Ali, G.A., for R3
Mr.Richardson Wilson
for M/s.P.Wilson Associates,
for R4

COMMON ORDER

The learned Counsel for the petitioners seeks permission of this Court to withdraw these petitions and he has also made endorsements to that effect.

2. In view of the above submission and endorsements made by the learned counsel for the petitioners, these writ petitions are dismissed as withdrawn. No Costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government
Ministry of Road Transport and Highways
Department New Delhi
- 2 The National Highways
Authority of India Ministry of Road
Transport and Highways G5 & 6 Sector 10
Dwarka New Delhi 110 075
- 3 Competent Authority (Cum)
Special District Revenue Officer (L.A)
Kanchipuram & Tiruvellore District Camp at
Tahsildar Office Poonamallee
- 4 The Project Director
The National Highways Authority of India No.
1/54-28 Butt Road Near Kathipara Junction
St. Thomas Mount Chennai-16
5. The Special Tahsildar (Land Acquisition),
National Highways,
Poonamallee,
Thiruvallore District.

+1 CC to Govt. Pleader sr 51439.

+4 CCs to Mrs.A.L. Gandhimathi, Advocate sr
51053, 51054, 51052, 51055.

W.P.Nos.4794, 4795, 3150 of 2014, 29532,
29533 of 2015 and 26203 of 2015

SP(10/08/2018)