



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Rev.Aplw.No.167 of 2018 in W.P.No.26459 of 2017,
Rev.Aplw.No.168 of 2018 in W.P.No.19138 of 2017 and
Rev.Aplw.No.169 of 2018 in W.P.No.19139 of 2017

1. R.Arivanandham
2. R.Kamaladevi
3. V.Dhanagopalan
4. V.Nagarajan
5. N.R.Rajadasappan
6. S.Lakshmanan
7. S.Pushpa
8. J.Duraisamy

..Petitioners in Rev.Aplw.No.167/2018

R.Kamaladevi

..Petitioner in Rev.Aplw.No.168/2018

V.Dhanagopalan

..Petitioner in Rev.Aplw.No.169/2018

Vs.

1. The Secretary to Government,
State Highways Department,
Fort St. George, Chennai - 600 009.
2. The Chief Engineer,
State Highways, Chepauk,
Chennai - 600 005.
3. The District Collector,
Salem District, Salem.
4. The Land Acquisition Officer/
District Revenue Officer,
Collectorate, Salem.

..Respondents in all the
Rev.Aplws.

5. Mr.R.Sugumar,
The Land Acquisition Officer/
District Revenue Officer,
Collectorate, Salem.

..5th Respondent in
Rev.Aplw.No.167 of 2018

PRAYER in Rev.Aplw.No.167 to 169 of 2018: The Review Applications are filed under Order 47 Rule 1 read with Section 114 of CPC to review the order passed in W.P.No.26459 of 2017,19138 & 19139/17 dated 18.07.2018.



WP.Nos.26459, 19138 and 19139/2107: These writ petitions are filed under Article 227 of the constitution of India to issue a writ of Mandamus.

(i) directing the 2nd respondent to conduct enquiry inregarding with fixation of compensation for the petitioners building situated at Suramangalam - Sandhaipettai Main Road Shevapet Salem-2 under the provisions of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) (in WP.26459/17)

(ii) forbearing the respondents from demolishing the petitioners building situated in Door No 93-J Block No.9 Ward No.28 T.S.No.11/2 Pallapatti Village Salem till passing orders on the petitioners objection made for the notice U/s. 15 (3) of Tamil Nadu Highways Act issued by the 4th respondent in his proceedings No.Na.Ka.9015/2013/P3 dated 07.11.2016 (in WP.19138/17).

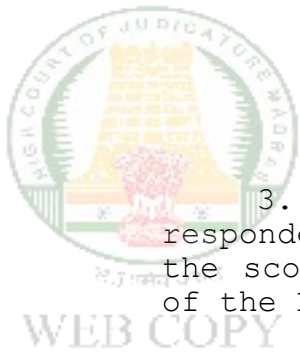
(iii) forbearing the respondents from demolishing the petitioners building situated in Door No 93D/22 Block No.9 Ward No.28 T.S.No.16/2 Pallapatti Village Salem till passing orders on the petitioners objection made for the notice U/s. 15 (3) of Tamil Nadu Highways Act issued by the 4th respondent in his proceedings No.Na.Ka.9015/2013/P3 dated 07.11.2016(in WP.No.19139 of 2017)

For Petitioners : Mr.B.Kumarasamy
for Mr.T.Aravind
For Respondents : Mr.C.Thirumaran, Spl.G.P.

COMMON ORDER

The learned counsel for the petitioners submitted that the petitioners are the owners of various immovable properties situated at Pallapatti Village in Salem District and the respondents issued a notification to acquire their properties.

2. According to the learned counsel for the petitioners, in the enquiry conducted by the fourth respondent, the petitioners were not permitted to mark the documents and the enquiry proceedings were conducted contrary to the Act 30 of 2013. However, when the Writ Petitions were disposed of, the grievance of the petitioners was not brought to the knowledge of this Court and hence they want to withdraw these Review Applications with liberty to file Writ Petitions. The learned counsel also made endorsements to that effect.



3. The learned Special Government Pleader appearing for the respondents submitted that the prayer now sought for is beyond the scope of the Review Applications and opposed the withdrawal of the Review Applications.

4. However, considering the grievance expressed by the petitioners, the Review Applications are dismissed as withdrawn, with liberty to the petitioners to work out their remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Secretary to Government,
State Highways Department,
Fort St. George, Chennai - 600 009.
2. The Chief Engineer,
State Highways, Chepauk, Chennai - 600 005.
3. The District Collector, Salem District, Salem.
4. The Land Acquisition Officer/
District Revenue Officer, Collectorate, Salem.

Rev.Aplw.Nos.167, 168 &
169 of 2018

RSI (CO)
EU(25/10/2018)