

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13588 of 2018
&
W.M.P.No.16018 of 2018

M.Natarajan

.. Petitioner

-vs-

1. The Authorised Officer-cum-Special District Revenue Officer
(Land Acquisition and National High Ways)
Kancheepuram
Thiruvellore District
2. The District Registrar
Office of the District Registration
Kancheepuram
Thiruvellore District
3. The Sub-Registrar
Sriperumpudur Sub-Registration Office
Sriperumpudur
Kancheepuram District
- 4.Thiru M.Murugesan
- 5.M.Chandrasekaran
- 6.M.Radhakrishnan

7.M.Sundaresan

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the 2nd and 3rd respondents from registering and executing any deed insofar as under the land acquisition proceedings in various survey numbers and / or any other writ or order or direction more particularly in the nature of writ of mandamus forbearing the 2nd and 3rd respondents from executing any sale deed or agreement etc., in the survey numbers 1) 325/5A (Part) 2095 (2) 326/A (Part) 9910 (3) 326/6 (part) 74 (4) 326/7 (part) 771 (5)

326/8 (Part) 237 (6) 326/10 Part 1350 (7) 327/1 (Part) 823 (8) 327/2 (Part) 227(9) 327/3 (Part) 1368-Total 16,905 sq.meters in the village of Kancheepuram District, Sriperumpudur Taluk and Sub-Registrar Officer no.51-B, Nemili Group, Beemanthangal Village Comprised in Patta No.843

For Petitioner :: Mr.E.Sampath Kumar

For Respondent :: Mr.V.Jayaprakash Narayanan
Spl. Government Pleader for R1

Mr.T.M.Pappiah
Spl.Govt.Pleader for R2 and R3

ORDER

Learned counsel appearing for the petitioner submitted that the petitioner and respondents 4 to 7 are the owners of property covered in following various survey numbers:

S.No.	Survey No.	Land Acquisition extent Sq.meter
1	325/5A (Part)	2095
2	326/A (Part)	9910
3	326/6 (Part)	74
4	326/7 (Part)	771
5	326/8 (Part)	237
6	326/10 (Part)	1350
7	327/1 (Part)	823
8	327/2 (Part)	227
9	327/3 (Part)	1368
	Total	16,905

2. Learned counsel further submitted that the first respondent has issued a proceedings for the purpose of acquiring the land for expansion of the Highway. Even after the proceedings were issued under Section 3(d)(1) of the National Highways Act, respondents 4 to 7 are in a hurry to alienate the property by way of a sale deed. After noticing the conduct of the respondents 4 to 7, his own brothers, the petitioner, to avoid legal complications, approached the third respondent with a representation dated 22.05.2018 not to entertain any sale deed in respect of the land already covered under Land Acquisition Proceedings issued for the purpose of expansion of Highway. It is also submitted by the learned counsel for the petitioner that

while the petitioner is ready and willing to hand over the land for the said purpose, his brothers, who are respondents 4 to 7 herein, are creating encumbrances and therefore, he has approached the third respondent, who has informed the petitioner orally that if any sale deed is presented for registration, he would proceed as per law.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the first respondent also submitted that since the land in question has been acquired for expansion of highways, the third respondent should not entertain any sale deed or instrument for alienation of the property.

4. In that view of the matter, the third respondent is hereby directed to consider the representation of the petitioner dated 22.05.2018 and do the needful in accordance with law.

The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

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Special District Revenue Officer
(Land Acquisition and National High Ways)
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Thiruvellore District

2. The District Registrar
Office of the District Registration
Kancheepuram
Thiruvellore District

3. The Sub-Registrar
Sriperumpudur Sub-Registration Office
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+1 CC to Govt. Pleader sr 35839.

+1 CC to Mr.E. Sampath Kumar, Advocate sr 36357.

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SP(14/06/2018)