

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.15158 of 2018

& WMP.Nos.17968 & 17969 of 2018

M.Siddananda Sampath

..Petitioner

Vs

1.The Government of Tamil Nadu

Rep. by the Secretary to Government,
Highways and Minor Ports Department,
Fort St. George, Chennai - 600 009.

2.The Salem District Collector,
Salem District.

3.The Land Acquisition Officer
and District Revenue Officer,
Salem.

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records relating to the impugned notification dated 31.01.2018 made in Na.Ka.No.22117/2017/B1 issued by the 3rd respondent insofar as the petitioner's land is concerned situated at Survey No.147/1G in Viruthasampatti Village, Mettur Taluk, Salem District to an extent of 159 sq.mts. (Sl.No.55 of the impugned notification published in Tamil in Daily Thanthi dated 04.02.2018) and quash the same and consequently direct the respondents to consider the alternate routes suggested by the petitioner based on his representation / objections dated 05.03.2018 given to 3rd respondent.

For Petitioner : Mr.R.Thiagarajan

For Respondents : Mr.Akhil Akbar Ali,G.A.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

2. This writ petition has been filed for quashing notice issued by the 3rd respondent under Section 15(2) of the Tamil Nadu Highways Act, 2001 and to direct the respondents to consider the alternate routes suggested by the petitioner based on his representation / objection dated 05.03.2018.

3. The case of the petitioner is that the impugned notification has been issued by the second respondent to acquire the petitioner's land measuring an extent of 4 1/2 cents (159 sq.mts.), out of total extent of 8 1/2 cents. The objection was raised by the petitioner suggesting alternative route. Though the 3rd respondent conducted enquiry on 03.04.2018, but so far no order has been passed. Hence, the present petition.

4. The learned Government Advocate submitted that for the notice issued under Section 15 (2) of the Tamil Nadu Highways Act, the petitioner had submitted his objection to the third respondent on 05.03.2018 and the objection of the petitioner would be considered in accordance with law.

5. Recording the submission of the learned Government Advocate, the writ petition is closed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pvs

To

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

2.The District Collector,
Salem District.

3.The Land Acquisition Officer
and District Revenue Officer,
Salem.

+lcc to Mr.R.Thiagarajan, Advocate, S.R.No.44454

+lcc to the Government Pleader, S.R.No.44899

W.P.No.15158 of 2018

NRL (CO)

BM 23/07/2018.