

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.No.26625 of 2016
and
W.M.P.No.22819 of 2016
and
W.M.P.No.14796 of 2017

St. Michael's Polytechnic College,
Represented by its Secretary, Mr.D.S.Mithra,
'Santhosh Gardens', Santhapuram,
Vellanur, Chennai-600 062.

Petitioner

Vs

1. Collector, Thiruvallur District,
Thiruvallur.

2. Chennai Metropolitan Development Authority,
Represented by its Member Secretary,
No.8, Gandhi Irwin Road, Egmore,
Chennai-600 008.

3. Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.

4. Commissioner for Land Administration &
Chairman, State Level Private Negotiation
Committee, 'Ezhilagam', Chepauk,
Chennai-600 005.

5. District Revenue Officer,
Office of the Collector, Thiruvallur.

6. District Revenue Officer (Land Acquisition),
Outer Ring Road Project - CMDA,
Koyembedu, Chennai-600 092.

7. Deputy Director,
Town & Country Planning Department,
Thiruvallur.

8. Deputy Inspector General of Registration,
First Line Beach, Rajaji Salai,
Chennai-600 001.

9. The State of Tamil Nadu,
Represented by the Principal Secretary,
Department of Revenue,
Fort St.George,
Chennai-9.

... Respondents

(R9 is suo-motu impleaded as per order
dated 01.08.2016 by NKKJ in
W.P.No.26625 of 2016).

Prayer: Writ petition is filed under Article 226 of the
Constitution of India for issuance of Writ of Certiorarified
Mandamus, to call for the records in Na.Ka.10181/2016/F3, dated
02.07.2016 of the 1st respondent, Collector, Thiruvallur issued
to the petitioner being Minutes of alleged private negotiation,
that refers to 1st respondent's recommendation being forwarded to
the State Level Private Negotiation Committee for continuation
of alleged Private Negotiation, in the absence of petitioner's
willingness or concurrence for Land Acquisition through Private
Negotiation and in the absence of any notice for Land
Acquisition to the petitioner either under Section 4(1) of the
Land Acquisition Act, 1894 or under the Right to Fair
Compensation and Transparency in Land Acquisition,
Rehabilitation and Resettlement Act, 2013 for formation of 62.3
Kms. Outer Ring Road, quash the same and consequently direct the
respondents to proceed under Act 30 of 2013, rehabilitate the
Petitioner by permitting continuance of the 32 year old of
St.Michael's Polytechnic College an existing authorised
activity, in petitioner's own remaining lands and thereby render
justice.

For Petitioners : Mr.C.Franco Louis

For Respondents 1, 3 to 9: Mr.Akhil Akbar Ali
Government Advocate

For 2nd respondent : Mr. K.Raja Srinivas

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The learned counsel for the petitioner submitted that the
present petition was filed when the authority concerned pursuant
to the private negotiation for acquiring the land, attempted to
force its offer on the petitioner and therefore, apprehending
the same, the petitioner has come forward with the present
petition. He added that the acquisition which is under challenge
in this case is a pre-land acquisition proceedings attempted.
The learned counsel added, now the authorities have initiated

the proceedings under the Tamil Nadu Highways Act, 2001 and he has challenged the same in a batch of separate petitions. Learned counsel added that in view of the subsequent development and the pendency of the other batch of petitions, he may be permitted to withdraw the same and he has also made an endorsement in the petition.

2. In view of the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn. Nos costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ssn

To

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Thiruvallur.

2.Member Secretary,
Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Road,
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3. Secretary to Government,
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9. The Principal Secretary,
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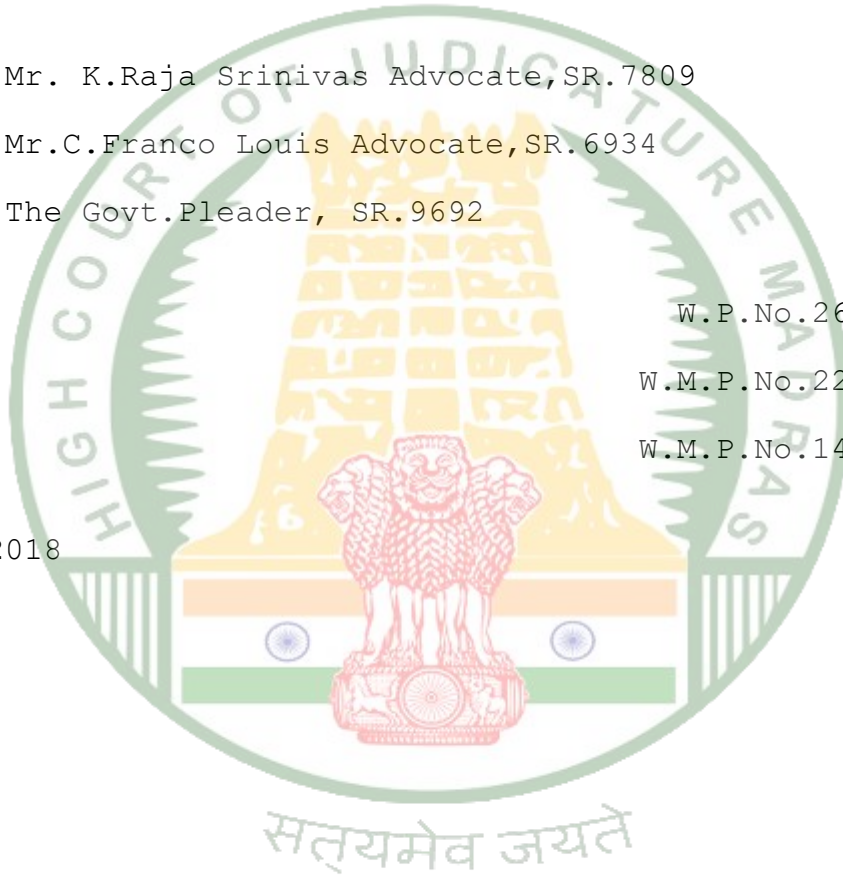
+ 1 cc to Mr. K.Raja Srinivas Advocate,SR.7809

+ 1 cc to Mr.C.Franco Louis Advocate,SR.6934

+ 1 cc to The Govt.Pleader, SR.9692

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