

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 01..10..2018
CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.25330 of 2018
and
W.M.P.No.29483 of 2018

- 1.Mrs.S.Ambika
- 2.Mrs.R.Suganya
- 3.Mr.R.Barathan

... Petitioners

-Versus-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Highways Department,
Fort. St. George,
Chennai 600009.
- 2.The District Collector,
Coimbatore District,
Coimbatore.
- 3.The District Revenue Officer,
Collectorate Office,
Coimbatore.
- 4.The Tahsildar,
Coimbatore North,
Coimbatore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 3rd respondent relating to the public notice dated 28.05.2018 under ROC No.23292/2017/VU3 published in one issue of Indian Express insofar as it relates to the petitioner's Plot No.355 comprised in S.No.168/21 by NGGO Officers Rural Cooperative Society, Coimbatore and to quash the same and for a consequential direction to the respondents not to proceed with the acquisition of the petitioner's land under Tamil Nadu Highways Act , 2001 (Tamil Nadu Act 34 of 2002).

For Petitioners : Mr.P.Ravishankar Rao
For Respondents : Mr.M.Elumalai,
Government Advocate
for R1 to R4

ORDER

This writ petition has been filed challenging the notice issued by the 3rd respondent under Section 15(2) of The Tamil Nadu Highways Act, 2001 requiring the petitioners to submit their objection, if any, for the acquisition of their land.

2. According to the petitioners, they are the absolute owners of plot bearing Plot No.355 [comprised in S.F.No.168/21] and buildings thereon, situate in N.G.G.O. Colony, Coimbatore. The above said land and buildings are sought to be acquired by the respondents for a public purpose for widening the State Highways and a notice has also been issued in this regard. Further, according to the petitioners, pursuant to such notice, the petitioners appeared for enquiry before the District Revenue Officer and submitted their objections on 11.06.2018. The grievance of the petitioners is that their objections dated 11.06.2018 and the subsequent objections sent through their counsel dated 18.06.2018 have not been so far considered by the respondents. Hence, this writ petition.

3. Earlier, this court, by order dated 26.09.2018 ordered notice to the respondents and Mr.M.Elumalai, the learned Government Advocate, who took notice on behalf of the respondents, sought for short adjournment to enable him to get instructions, therefore, the writ petition was ordered to be adjourned. Today, when the matter came up for hearing, the learned Government Advocate, on instructions, submitted that pursuant to the notice, the petitioners appeared for enquiry and submitted their objections and the 3rd respondent requires four weeks time to consider the objections as per law.

4. Recording the statement made by the learned Government Advocate, this writ petition is disposed of with a direction to the 3rd respondent to consider the objections made by the petitioners on 11.06.2018/18.06.2018 and take suitable action in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected WMP is closed.

Sd/-

Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Highways Department,
Fort. St. George,
Chennai 600009.

2.The District Collector,
Coimbatore District,
Coimbatore.

3.The District Revenue Officer,
Collectorate Office,
Coimbatore.

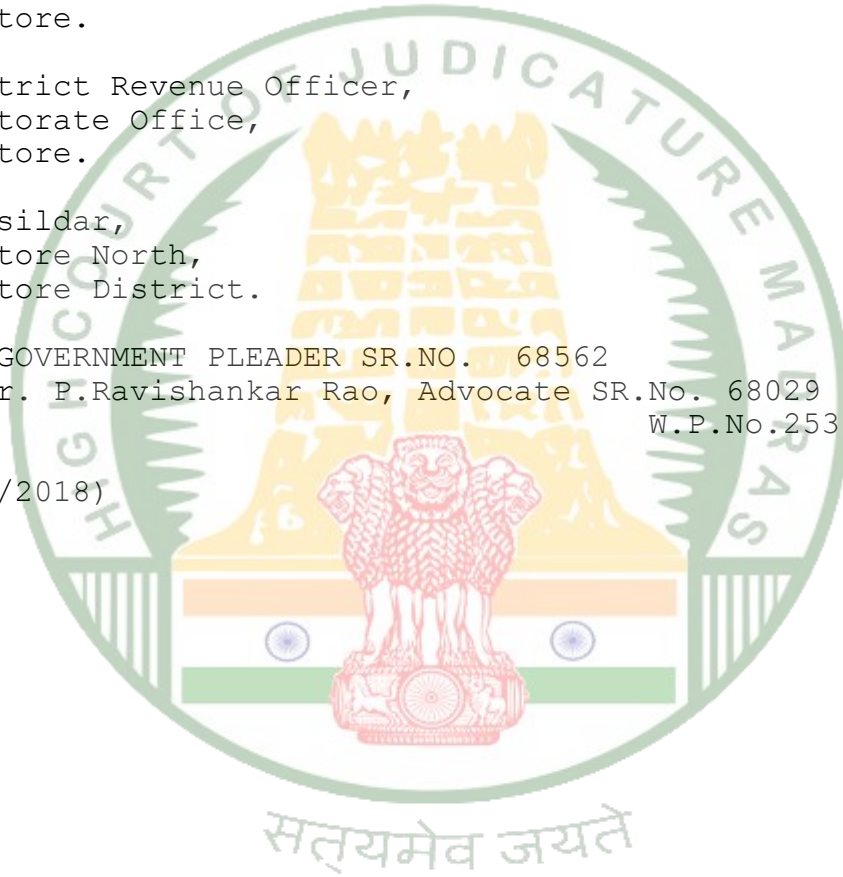
4.The Tahsildar,
Coimbatore North,
Coimbatore District.

+1 CC TO GOVERNMENT PLEADER SR.NO. 68562

+1cc to Mr. P.Ravishankar Rao, Advocate SR.No. 68029

W.P.No.25330 of 2018

ASK(17/12/2018)



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