

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.11.2018

C O R A M
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

Writ Petition No.26506 of 2018
and W.P.Nos.30832, 30835 of 2018

P.Jayaraj

... Petitioner

Vs.

1. The Government of India,
Rep. by the Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan, No.1,
Parliament Street, New Delhi-100 001.
2. The Government of India,
Rep. by its Director,
Impact Assessment Division,
Ministry of Environment, Forest and
Claimant Change,
Indira Parayavaran Bhavan,
3rd floor, Vagu Wing, Job Bagh Road,
Aligani, New Delhi 110 003.
3. The District Collector,
Dharmapuri.
4. The District Revenue Officer,
Land Acquisition Officer,
Dharmapuri District.
5. The Project Director,
Project Implementation Unit,
SRI Towers, 3rd Floor,
DP-34(SP), Industrial Estate,
Guindy, Chennai 600 032.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records in connection with Notification in Na.Ka.4862/18U-1 dated 14.06.2018 published on 16.06.2018 of the 3rd respondent herein and quash the same.

For Petitioner : Mr.V.R.Annagandhi

For Respondents: No Appearance
for R1 & R2.

Mr.M.Elumalai,
Government Advocate
for R3 & R4.

O R D E R

The writ petition has been filed challenging the notice issued under Section 3A of the National Highways Act. The land is sought to be acquired for forming a 4 lane road to National Highway No.844, between Hosur to Dharmapuri via Royakkottai.

2. The grievance of the petitioner is that, already there is an existing road available to Dharmapuri to Hosur via Krishnagiri for the same distance that road can be converted into a 4 lane road instead of acquiring the petitioner's agriculture land. Since the petitioner's land is an agricultural land, there is no necessary to acquire the agriculture land, the alternative land is available, on that ground the petitioner came forward to file this writ petition.

3. Earlier notice was ordered to the respondents, the learned Counsel for the respondents on instruction would submit that now an enquiry was conducted by the 4th respondent on 23.10.2018. The petitioner has also appeared in the enquiry and submitted his detailed objection and the objection would be now under consideration.

4. This writ petition has been filed, challenging the notice issued under Section 3A of the National Highways Act, calling for the objection. Now admittedly the enquiry is conducted and the petitioner has also appeared for the enquiry and submitted his objections.

5. In these circumstances at this stage there is no necessary to go into the merits of the case as already the petitioner's objections are under consideration by the 4th respondent. Hence, the writ petition is disposed of with the above directions, the 4th respondent to consider the objections and pass suitable orders on merits. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

msvm

To

1. The Secretary,
Government of India,
Ministry of Road Transport and Highways,
Transport Bhawan, No.1,
Parliament Street, New Delhi-100 001.
2. The Director,
Government of India,
Impact Assessment Division,
Ministry of Environment, Forest and
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Guindy, Chennai 600 032.

+1cc to Mr.V.R.Anna Gandhi, Advocate, S.R.No.76986

+1cc to the Government Pleader, S.R.No.77437

Writ Petition No.26506 of 2018

rrs 30/01/2019

सत्यमेव जयते

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