

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.2481 of 2019
and WMP.No.2762 of 2019

Nalli Trust
rep by its Chief Financial Officer,
K.V.Balasubramanian ... Petitioner

Vs

- 1.The Special District Revenue Officer (LA)
National Highway 948A, STRR(G)
Hosur,
Camp Krishnagiri
- 2.National Highways Authority of India
Ministry of Road Transport & Highways
Project Implementation Unit-Bengaluru (Expressway)
718, 11th Cross, 20th Main, Padmanabha Nagar
Bengaluru-580 070 ... Respondents

Prayer:- This Writ Petition is filed, under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in Na.Ka.No.73/2018(L1) dated 13.12.2018, quashing the same and further directing the 1st respondent to provide the petitioner with all necessary particulars in respect of the Petitioner's land in Survey Nos.771, 772, 773 and 774 of Mornanpalli Village, Krishnagiri District, Hosur Taluk, proposed to be acquired in order to raise its objections, and to further provide a proper opportunity of personal hearing to object to the proposed acquisition and dispose of the said objections within a stipulated time and proceed only in accordance with law.

For Petitioner : Mr.A.Suresh

For Respondents : Mr.D.Raja, Addl Government
Pleader
for R1
Mr.Su.Srinivasan for R2.

ORDER

This Writ Petition is filed challenging the impugned order passed by the 1st respondent dated 13.12.2018 and sought to quash the same and for a further direction to the 1st respondent to provide the petitioner with all necessary particulars in respect of the Petitioner's land in Survey Nos.771, 772, 773 and 774 of Mornanpalli Village, Krishnagiri District, Hosur Taluk, proposed to be acquired in order to raise his objections, and to further provide a proper opportunity of personal hearing to object to the proposed acquisition and dispose of the said objections within a stipulated time and proceed only in accordance with law.

2. Today, when the matter is called, the learned Additional Government Pleader appearing for the 1st respondent filed counter affidavit, wherein, in paragraph No.6, it is averred as follows:-

"6. With regard to paragraph 10, it is submitted that the contention of the petitioner is not true. All the land information has been notified in 3A(3) paper publication. In which the Central Government declares its intention to acquire the lands including the land of the petitioner. As far as exact land required for NH, that will be ascertained after verification and detailed survey of all lands notified in 3A(1). Accordingly, the survey team of this office completed the survey work which shows that as of now the lands referred by the petitioner are not coming under acquisition for NH 948A, project. Hence, the petitioner lands not included in the 3D notification."

3. The learned Additional Government Pleader appearing for the first respondent further submits that a copy of the said 3D (1) Notification issued by the Ministry of Road Transport and Highways, New Delhi, dated 8th March, 2019, is stated to be served to the counsel for the Petitioner.

4. Recording the above averment made in the counter affidavit and the submission of the learned Additional Government Pleader appearing for the 1st respondent, this Writ Petition is closed as nothing survives for adjudication. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri
To

- 1.The Special District Revenue Officer (LA)
National Highway 948A, STRR(G)
Hosur,
Camp Krishnagiri.
- 2.National Highways Authority of India
Ministry of Road Transport & Highways
Project Implementation Unit-Bengaluru (Expressway)
718, 11th Cross, 20th Main, Padmanabha Nagar
Bengaluru-580 070.

+1cc to the Government Pleader Sr.36298
+1cc to Mr.A.Suresh, Advocate Sr.35512

WP.No.2481 of 2019

na[co]
srg 04/06/2019

WEB COPY