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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.35191 of 2005

and

WPMP.No.38189 of 2005

P.N.Anand

... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by its Secretary,
Housing and Urban Development
Department, Fort St.George,
Chennai - 600 009.

2. Special Tahsildar,
(Land Acquisition),
Unit II, Tamil Nadu Housing
Board Schemes, Nandanam,
Chennai - 600 035.

3.Tamil Nadu Housing Board represented by its
Executive Engineer and Administrative Officer,
Mogappair Division, Tamil Nadu Housing Board,
Chennai - 600 101.

... Respondents

(Impleaded as per Order dt 30.01.2014
in WPMP.No.488/2011)

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the respondents in Notification issued under Section 4(1) of the Land Acquisition Act published in Thiruvallur District Gazette dated 20.09.2002 and the consequential Declaration issued under Sectionn 6 of the Land Acquisition Act 1894 (Central Act of 1894) published in Tamil Nadu Government Gazette dated 14.10.2003, wherein the respondents have acquired the petitioner's property situated at S.Nos.7/1A1, 7/1B1, 8/4, 8/5, 9/1A2, 9/1B2, 21/1, Perumal Agaram Vllage, Ambattur Taluk, Thiruvallur District, measuring a total extent of 138.50 cents and quash the same.



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For Petitioner : M/s.G.Krishan Kumar
For Respondents : Mr.M.Elumalai for RR1 & 2
Government Advocate
Mr.M.Baskar R-3

O R D E R

The petitioner has filed this petition for issuance of a Writ of Certiorari to call for the records of the respondents in Notification issued under Section 4(1) of the Land Acquisition Act published in Thiruvallur District Gazette dated 20.09.2002 and the consequential Declaration issued under Sectionn 6 of the Land Acquisition Act 1894 (Central Act of 1894) published in Tamil Nadu Government Gazette dated 14.10.2003, wherein the respondents have acquired the petitioner's property situated at S.Nos.7/1A1, 7/1B1, 8/4, 8/5, 9/1A2, 9/1B2, 21/1, Perumal Agaram Vllage, Ambattur Taluk, Thiruvallur District, measuring a total extent of 138.50 cents and quash the same.

2. The very same notification was challenged before this court. The learned Single Judge of this court in WP.Nos.3504 and 3505 of 2013 had already dismissed the writ petition. Already one year period is the time gap between the 4(1) Notification and 6th Declaration and again the same was agitated before the Division Bench and resultantly, it dismissed the writ petition.

3. In view of the foregoing reasons, this court confirmed the order of the learned Single Judge as aforesaid as if the 4 (1) Notification was issued on 18.01.2002 and the 6th Declaration was published on 14.10.2003. Hence, nothing survives for further adjudication in this case and the writ petition fails and accordingly, the same is dismissed. However, it is made clear that it is open to the petitioner to workout his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

gv



To

1. The Secretary,
The State of Tamil Nadu,
Housing and Urban Development
Department, Fort St.George,
Chennai - 600 009.

2. Special Tahsildar,
(Land Acquisition),
Unit II, Tamil Nadu Housing
Board Schemes, Nandanam,
Chennai - 600 035.

+1cc to Mr.G.Krishan Kumar, Advocate SR.No.50865

+1cc to Mr.M.Baskar, Advocate SR.No.51350

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and
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BS (CO)
GMY (14/10/2019)