

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P. No.8504 of 2019 &
W.M.P.No.9024 of 2019

Ranjit Lamech
S/o.Late J.R.Lamech,
No.1, Lamech Avenue,
Chetpet, Chennai - 600 031.
Rep. by POA,
Deepak Lamech,
No.76, Spur Tank Road,
Chetpet, Chennai - 600 031.

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by The Commissioner and Secretary to
Government,
Housing and Urban Development Department,
Fort St. George Municipal Office,
Chennai - 600009.
- 2 The Special Tahsildar (Land Acquisition)
No. 9, Tamil Nadu Housing Board,
39, Anna Salai, Nandanam,
Chennai - 600035.
- 3 The Tamil Nadu State Housing Board,
By its Secretary,
493, Anna Salai,
Nandanam, Chennai - 600035.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration, Declaring that the land acquisition proceedings initiated by issuing notification under section 4(1) as published in the Gazette dated 11.06.1975 followed by issuing declaration under section 6 dated 09.06.1978 which was culminated into passing of an Award No. 1/ 1988 dated 09.05.1988 insofar as it relates to the lands comprised in Survey No. 152/ 2A1A1A and 152/ 29 of an extent of 99 cents in Valasaravakkam Village as non-est in law and nullity as being statutorily

lapsed in terms of proviso to Section 11A of the Land Acquisition Act, 1894 and as per the order made in W.P.No.10744 of 1988, dated 28.10.1991 and consequently forbear the respondents from interfering with the right of the petitioner in respect of the aforesaid lands in any manner whatsoever without authority of law to forbear any Government or other Authority from demanding any NOC from the Housing Board or other Authority or person.

For Petitioner : Mr.M.Balasubramanian

For Respondents: Mr.M.Elumalai

Government Advocate for R1 and R2

Mr.M.Baskar

Standing Counsel for R3

O R D E R

The learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition and he has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn with liberty to the petitioner to file fresh Writ Petition with proper prayer, if necessary. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

r n s

To

1. The Commissioner and Secretary to
Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George Municipal Office,
Chennai - 600009.

2 The Special Tahsildar (Land Acquisition)
 No. 9, Tamil Nadu Housing Board,
 39, Anna Salai, Nandanam,
 Chennai - 600035.

3. The Secretary,
 Tamil Nadu State Housing Board,
 493, Anna Salai,
 Nandanam, Chennai - 600035.

+1cc to Mr.M.Balasubramanian, Advocate sr.28393

+1cc to the Government Pleader sr.29123

+1cc to Mr.M.Baskar, Advocate sr.27965

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srg 3/5/2019