

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2019

CORAM::

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.12050 of 2019
and
W.M.P.No.12320 of 2019

M/s.Ceedeeyes Health Care Services (P) Ltd.,
(formerly known as Ceedeeyes Standards Towers Private Ltd)
Rep. by its Managing Director,
No.383, Velacherry-Tambaram Main Road,
Velacherry,
Chennai-600 042. Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. by its Secretary,
Highways Department,
Fort St.George,
Chennai-600 009.
2. The District Collector of Chennai,
Rajaji Salai,
Chennai-600 001.
3. The Divisional Engineer,
Highways Department,
C&M Tambaram Section,
Opp.Velacherry Railway Station,
Chennai-600 042.
4. The Assistant Divisional Engineer,
Highways Department,
C&M Tambaram Section,
Opp.Velacherry Railway Station,
Chennai-600 042.
5. The Special Tahsildar (LA),
Highways,
Chennai District Collector Office,
Rajaji Salai,
Chennai-600 001.

6. The Tahsildar,
Velacherry Block,
Velacherry,
Chennai-600 042.

... Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents 3 to 6 to re-fix the Highways boundary for taking possession of only 17.5 cents of land in S.No.329 of Velacherry showing clearly that the Highways boundary includes only 17.5 cents in S.No.329 Velacherry for the purpose of making necessary mutation in the Revenue Records.

For Petitioner: Mr.A.Thiagarajan, Senior Counsel
for Mr.N.Premkumar

For Respondents: Mr.D.Raja
Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the respondents

2. The petitioner herein is the erstwhile owner for certain extent of land in S.No.329 of Velacherry Village. Out of which initially 22.5 cents of land was sought to be acquired by the Tamil Nadu Highways Department. Later on receiving the objection from the land owner/petitioner herein, the extent of land sought to be acquired was reduced from 22.5 cents to 17.5 cents. The petitioner herein has approached the Tahsildar for issuance of patta for the 5 cents, in addition to other remaining extent of land. For the said request, the Tahsildar, Velacherry village, has communicated that till date the Tamil Nadu Highways Department has not informed about the reduction of acquisition from 22.5 cents to 17.5 cents and therefore, they are not in position to issue patta to the petitioner's land.

3. In this context, the writ petition has been filed seeking Mandamus with direction to the respondents 3 to 6 to re-fix the Highways boundaries and issue patta for 17.5 cents of land acquired by the Highways Department.

4. Today, the learned Government Additional Government Pleader appearing for the respondents has circulated the communication from the Assistant Divisional Engineer, Highways Department, C & M, Tambaram Sub Division, Chennai, to the Revenue Department confirming that only an extent of 17.5 cents of the petitioner's land has been taken into possession in

S.No.329 of Velacherry village and therefore, request to carry out necessary changes in the Revenue records. The Transfer Charge Certificate has also been enclosed by the Highways Department in the said letter addressed to the Revenue Department.

5. In the light of the above fact, the request of the petitioner has been substantially complied, therefore nothing survives in this Writ Petition. Hence, the Tahsildar, Velacherry Village/6th respondent herein is directed to act upon the communication of the Highways Department and pass appropriate orders on the representation of the petitioner's herein, within reasonable time.

6. Accordingly, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

bsm

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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The State of Tamil Nadu,
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Chennai-600 009.
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+1cc to Mr.N.Premkumar, Advocate, SR.No.48112

+1cc to the Govt.Pleader, Vide Sr.No.49113

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Kak(17/06/2019)



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