

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2019

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.25738 of 2018

G.Durai

... Petitioner

Vs.

- 1.The District Collector,
Chennai, Chennai District.
 - 2.The Land Acquisition Officer,
Additional Personal Assistant to the Collector,
Room No.216, Second Floor,
Chennai Metro Rail Project Administrative Building,
Koyambedu, Chennai-107.
 - 3.The Managing Director,
Chennai Metro Rail Project,
Room No.216, Second Floor,
Chennai Metro Rail Project Administrative Building,
Koyambedu, Chennai-107.
 - 4.The District Revenue Officer, (DRO)
Chennai Metro Rail Project,
Room No.216, Second Floor,
Chennai Metro Rail Project Administrative Building,
Koyambedu, Chennai-107.
- ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation dated 23.05.2018.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.C.Thirumaran
Spl. Government Pleader for R1 and R2

Mr.Jayesh B.Dolia for R3 and R4

O R D E R

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 23.05.2018.

2. According to the petitioner, the petitioner is one of the hereditary trustee of Sri Sundara Vinayagar Temple at New Vannarpet, Chennai, and the Temple has been managed and administered by the successors and legal heirs of one K.R.Govindasamy. The respondents taken steps to acquire the temple lands to an extent of 2467 sq.ft. for the purpose of construction of Metro Railway Station at Tondiarpet. At the time of acquisition, the respondents assured the petitioner that adequate compensation will be paid to the petitioner. But, so far no Award has been passed. Hence, the petitioner made a representation to the respondents, so far the respondents have not considered the petitioner's representation. Hence, the present writ petition.

3. Today, when the matter came up for hearing, Mr. Jayesh B.Dolia, the learned counsel appearing for the respondents 3 and 4 and Mr.C.Thirumaran, the learned Special Government Pleader appearing for the respondents 1 and 2 on instructions submitted that so far no land acquisition proceeding was initiated by the respondents and no notice was issued to the petitioner and hence the request made by the petitioner is totally premature and misconceived.

4. In the above said circumstances, as the notification is yet to be issued by the respondents for land acquisition, the representation submitted by the petitioner is premature and the relief sought for cannot be granted at this stage. Hence, this writ petition is dismissed. No costs. However, if any such notification is issued, the petitioner is at liberty to approach the concerned authorities and submit his representation.

Sd/-

Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

rrg/arb

To

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4.The District Revenue Officer, (DRO)
Chennai Metro Rail Project,
Room No.216, Second Floor,
Chennai Metro Rail Project Administrative Building,
Koyambedu, Chennai-107.

+1cc to Mr.M.Kempuraj, Advocate SR.No.3623

+1cc to Mr.Jayesh B Dolia, Advocate SR.No.3737

W.P.No.25738 of 2018

GMV (07/02/2019)

सत्यमेव जयते

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