



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2019

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WP (MD) No. 2513 of 2019

P. Pagan

... Petitioner

Vs.

1. The Project Director cum Authority
Engineer,
National Highways Authority of India,
No. 1 & 2 Floor, Subramaniyapuram 3rd Street,
Karaikudi - 630 002.

2. Special Tahsildar, National Highways Land
Acquisition, Sivagangai - 630 561

3. The Project Engineer,
Dilip Buildcon HD, 2nd and 3rd Floor,
Prakash Printer Building,
Pillaivayal Kaliyamman Street,
Thondi Road, Sivagangai - 630 561.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to direct the respondents 1 and 2 to instruct the third respondent to remove the wastes, machineries etc., in the land situated at land in Survey No. 152/4 at the extent of 4.69 acres situated at Madagupatti Village, Sivagangai District based on the petitioner's representation dated 25.10.2018 within stipulated time.

For Petitioner : Mr. M. Ramu

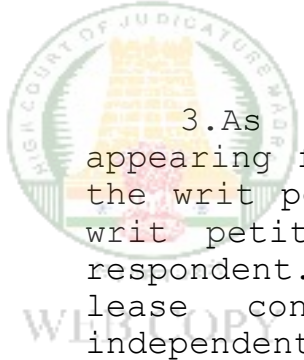
For Respondents : Mr. C. Arulavadivel @ Sekar for R1 & R3

: Mr. M. Rajarajan, Government Advocate
for R2

ORDER

Heard the learned counsel on either side.

2. The prayer in the writ petition is that the respondents 1 and 2 should instruct the third respondent to remove the waste and other items kept in the petition mentioned lands that belong to the writ petitioner.



3.As rightly contended by the learned Standing Counsel appearing for the NHAI, there is no contractual arrangement between the writ petitioner and the first respondent. It appears that the writ petitioner had a contractual arrangement with the third respondent. If the third respondent had committed breach of the lease conditions, the petitioner must workout his rights independently against the third respondent. The petitioner cannot involve the governmental authorities in order to resolve the dispute which he has with the third respondent.

4.This writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To
The Special Tahsildar,
National Highways Land Acquisition,
Sivagangai - 630 561.

+1CC TO Mr.M.Ramu, Advocate, SR No.46857
+1CC TO Mr.C.Arulavadivel @ Sekar, Advocate, Sr No.46560
+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.46711

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