

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.9155 of 2020

and

WMP No.11168 of 2020

1 P.M.Baskar
2 P.M.Prabhakar
3 P.M.Nalini

...Petitioners

Vs.

1 The State of Tamil Nadu
Rep. by its Commissioner and Secretary
Housing and Urban Department
Fort St.George
Chennai 600 009.
2 The District Collector
Office of the Kanchipuram Collectorate
Kanchipuram District.
3 The Member Secretary
Chennai Metropolitan Development Authority
No.1 Gandhi Erwin Road
Egmore Chennai 600 008.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the entire records pertaining to passing of the orders dated 25.5.2017 by the 3rd respondent herein, namely the Member Secretary, Chennai Metropolitan Development Authority, No.1, Gandhi Irwin Road, Egmore, Chennai-8 and quash the same and consequently, direct the respondents to release the land to the petitioners measuring about 3200 sq.ft. in Kattankolathur Village Survey No.336/1B, Chengalpattu Taluk, Kancheepuram District acquired by Notification under Sec.4(1) in the Tamil Nadu Official Gazette dated 23.10.1974 as the same remains unutilized till date under Section 48B of Land Acquisition Act.

For Petitioners : Mr.A.D.Janarthanan

For Respondents : Mr.Manoharan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order passed by the third respondent dated 25.05.2017 and for a consequential direction to direct the respondents to release

the land belongs to the petitioners, which was earlier acquired under the Land Acquisition Act, 1894.

2. It is brought to the notice of this Court that the representations made by the petitioners was considered by the Government and it was rejected by proceedings dated 24.10.2017. The Government has taken a stand in the said order to the effect that the property has already been developed into a layout and the plots have been allotted to various allottees.

3. In view of the above development, the relief claimed by the petitioners in this Writ Petition challenging the order passed by the third respondent will not have any significance. If the petitioners are really aggrieved, they should have challenged the order of the Government passed in G.O.(D) No.147, dated 24.10.2017. The same has not been done.

4. This Writ Petition is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

mra

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1 The Commissioner and Secretary
State of Tamil Nadu
Housing and Urban Department
Fort St.George
Chennai 600 009.
- 2 The District Collector
Office of the Kanchipuram Collectorate
Kanchipuram District.
- 3 The Member Secretary
Chennai Metropolitan Development Authority
No.1 Gandhi Erwin Road
Egmore Chennai 600 008.

+1cc to Mr.A.D.Janarthanan, Advocate SR.No.28385

+1 cc to Government Pleader Sr.No. 28345

W.P.No.9155 of 2020

and

WMP No.11168 of 2020