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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.Nos.13228, 13606, 19437 & 20201 of 2013

D.Srinivasan

.. Petitioner in WP Nos.13228
& 20201/13

B.Rajkumar

S.Ezhumalai

D.Gunasekaran

.. Petitioners in WP Nos.13606
& 19437/13

Vs.

1. State of Tamil Nadu
Rep. by its Secretary
Highways Department
Fort St. George
Chennai 600 009.
2. District Revenue Officer
Tiruvallur.
3. The District Collector
Tiruvallur 602 001.
4. The Divisional Engineer
Highways Department
CMDP Division (2)
Saidapet, Chennai 600 015.
5. The Chief Engineer
Highways Department
Metro, Alandur
Chennai 600 016.
6. The Tahsildar
Tiruvallur Taluk
Tiruvallur.

.. Respondents in all WPs.



Prayer in W.P.Nos.13228 & 13606 of 2013 - Petitions filed under Article 226 of the Constitution of India praying for a writ of Certiorari Mandamus calling for the records pertaining to the public notice dated 08.01.2013 bearing No.B.C.No.19018/2010/F1 published in Makkal Kural newspaper dated 23.01.2013 issued by the second respondent herein under Section 15(2) of the Tamil Nadu Highways Act, 2001, quash the same and consequently, direct the respondents to proceed with the construction as per public notice dated 18.05.2011.

Prayer in W.P.Nos.19437 & 20201 of 2013 - Petitions filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records pertaining to the proceedings bearing letter No.10563/HW2/2013-8 & No.1572/HW2/2013-3 dated 17.04.2013 issued by the first respondent herein and quash the same.

For the Petitioners : Mr.A.Palaniappan
(WP Nos.13228 & 20201
of 2013)

Mr.V.Govardhan
(WP Nos.13606 & 19437
of 2013)

For the Respondents : Mr.R.Shunmugasundaram
Advocate General
Assisted by
Mr.C.Harsharaj
Addl. Govt. Pleader &
Mrs.Akila Rajendran
Government Advocate
(in all WPs)

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

After arguing the writ petitions for some length, learned counsel for the petitioners pray for withdrawal of these writ petitions, with liberty to file a suit for declaration of title and injunction in respect of the lands alleged to be purchased by them.

2. As prayed, these writ petition are dismissed as withdrawn with liberty as prayed for. There will be no order as to costs.



Consequently, M.P.No.2 of 2013 in WP No.13606 of 2013, M.P.Nos.1 & 2 of 2013 in WP No.13228 of 2013, M.P.No.1 of 2014 in W.P.No.13228 of 2013 and WMP Nos.29038, 29243 of 2016, 10172 of 2017 are also dismissed.

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Sd/-
Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

kpl/drm

To:

1. The Secretary
Highways Department
Fort St. George, Chennai 600 009.
2. The District Revenue Officer
Tiruvallur.
3. The District Collector
Tiruvallur 602 001.
4. The Divisional Engineer
Highways Department
CMDP Division (2)
Saidapet, Chennai 600 015.
5. The Chief Engineer
Highways Department
Metro, Alandur
Chennai 600 016.
6. The Tahsildar
Tiruvallur Taluk, Tiruvallur.

+2ccs to Mr.K.G.Senthil Kumar, Advocate, S.R.No.67356,67357

W.P.Nos.13228, 13606,
19437 & 20201 of 2013

AK-II[co]

NSK 29/12/2021