

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WP.Nos.1735, 1740, 1790, 1792, 1794, 1796 & 1799 of 2021

G.Shanmugam	...	Petitioner in WP.No.1735/2021
S.Gopinath	...	Petitioner in WP.No.1740/2021
A.Kamalakaran	...	Petitioner in WP.No.1790/2021
L.Bhoma Ram	...	Petitioner in WP.No.1792/2021
J.Venkatesan	...	Petitioner in WP.No.1794/2021
R.Sengeni	...	Petitioner in WP.No.1796/2021
N.Shanmugam	...	Petitioner in WP.No.1799/2021

-Vs-

- 1.The Divisional Engineer,
Chennai City Roads Division,
Chennai 600 015.
- 2.The Divisional Engineer,
Highways Department,
Chennai Metropolitan Development Plan,
Division IV,
Chennai 600 016.
- 3.The Divisional Engineer (H)
CMDP, Division II,
Saidapet,
Chennai 600 015.
- 4.The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance Office,
Tambaram Sub Division,
Chennai 600 042.
- 5.The Assistant Engineer,
Highways Department,
Medavakkam,
Chennai 600 100.
- 6.The Special Deputy Collector,
Land Acquisition,
Tamil Nadu Urban Development Scheme (III)
New Street, Super Bazaar,
Commercial Complex,
Alandur, Chennai 600 016.

...Respondents in all WPs.

Prayer in WP.No.1735/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Old Survey No.400/A3, as per patta No.1300, the new Survey No.499/7, measuring an extent of 83 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1740/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.500/13, measuring an extent of 16 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1790/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.485/19, measuring an extent of 143 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1792/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.499/4, measuring an extent of 40 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1794/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.490/34, measuring an extent of 38 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1796/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action

in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.415/57, measuring an extent of 141 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

Prayer in WP.No.1799/2021: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 6th Respondent to forthwith take action in accordance with law on the representation of the petitioner dated 07.08.2018 with respect to the compensation payable to the acquisition of the petitioner's property comprised in Survey No.489/10, measuring an extent of 28 Sq.Mtr of land and building situated at Velachery Main Road, Medavakkam, Tambaram Taluk, Chengalpet District, Chennai 600 100.

In All WPs.

For Petitioner : Mr.Sankar Ramasamy

For Respondents : Mr.V.Anandhamurthi,
Additional Government Pleader

COMMON ORDER

As the issue involved in these writ petitions is similar in nature, they are heard together and disposed of, by this common order.

2.In the various affidavits filed in support of these writ petitions, the petitioners submit that their property is under Acquisition Act and they filed some representations, seeking compensation from the authority to consider. In the respective affidavits, each of the petitioner mentioned different dates regarding various notifications and paper publications etc., but none of the affidavit gives dates and exact notification vis-a-vis paper publication etc., and also does not mention the nature of the notification for the purpose of which, the paper publications are made.

3.The Tamil Nadu Transfer Act 2001 provides for multiple notices at various stages and the Court is unable to gather what is the exact notification in respect of the above. In short, the petitioners have to come out with better affidavits giving better details.

4.Learned counsel for the petitioners would now submit that he might be permitted to withdraw these petitions with liberty to file fresh petitions on the same cause of action, giving all necessary particulars.

for the petitioners, these writ petitions are dismissed as withdrawn with liberty to the petitioners to file fresh writ petitions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

- 1.The Divisional Engineer,
Chennai City Roads Division,
Chennai 600 015.
- 2.The Divisional Engineer,
Highways Department,
Chennai Metropolitan Development Plan,
Division IV,
Chennai 600 016.
- 3.The Divisional Engineer (H)
CMDP, Division II,
Saidapet, Chennai 600 015.
- 4.The Assistant Divisional Engineer,
Highways Department,
Construction and Maintenance Office,
Tambaram Sub Division,
Chennai 600 042.
- 5.The Assistant Engineer,
Highways Department,
Medavakkam,
Chennai 600 100.
- 6.The Special Deputy Collector,
Land Acquisition,
Tamil Nadu Urban Development Scheme (III)
New Street, Super Bazaar,
Commercial Complex,
Alandur, Chennai 600 016.

+1cc to the Government Pleader, S.R.No. 5367

W.P.Nos.1735, 1740, 1790, 1792, 1794,
1796 & 1799 of 2021

PPA(CO)
GN(03/02/2021)