



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.03.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.1775 of 2012

S.Sathish Babu
S/o.Sampath

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Kanchipuram.

2.The Special Thasildhar (L.A),
Oragadam Industrail Park Road,
Infrastructure Scheme,
43/36, Nehru Street,
Sriperumpudur-602 105.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records in respect of the Public Notification dated 30.12.2009 issued by the second respondent under Section 15(2) of Tamil Nadu Highways Act (Act 34 of 2002) published in Dinathanthi newspaper dated 14.01.2010 with respect to petitioner's land measuring 420 Sq.mt. in S.No.61/6B in Oragadam Village Sriperumpudur Taluk, Kanchipuram District, quash the same as illegal.

For Petitioner : Mr.S.Nambi Arooran

For Respondents: Mr.I.Sathish
Additional Government Pleader

ORDER

This writ petition is filed for issuing a Writ of Certiorari, calling for the records in respect of the Public Notification dated 30.12.2009 issued by the second respondent under Section 15(2) of Tamil Nadu Highways Act (Act 34 of 2002) published in Dinathanthi newspaper dated 14.01.2010 with respect to petitioner's land measuring 420 Sq.mt. in S.No.61/6B in Oragadam Village Sriperumpudur Taluk, Kanchipuram District, quash the same as illegal.



2.It is seen from the records that the land acquisition proceedings have been initiated in the year 2008 under the provision of the Tamil Nadu Highways Act 2001, (Tamil Nadu Act 34/2002) for an extent of 00420 Sq.Metres in Survey No.61/6B Part of Oragadam Village for Widening of Singaperumal Koil to Sriperumbudur Road, on request of requisitioning body namely Tamil Nadu Road Infrastructure Development Corporation. The notification under Section 15(2) of Tamil Nadu High ways Act 2001 was published on 14.01.2010 and notification under Section 15(1) of Tamil Nadu Highways Act 2001 was duly published in Tamil Nadu Government Gazette on 01.12.2010.

3.It is seen from the counter that the petitioner filed this Writ Petition in W.P.No.1775 of 2012 before this Court to quash the public notice dated 30.12.2009 in respect of the land measuring 420 sq.Metres in Survey No.61/6B at Oragadam Village, Sriperumbudur Taluk, Kancheepuram District. This Court by the order dated 27.01.2012 passed an order of Status Quo.

4. The second respondent has filed a status report on 22.06.2018. It is brought to notice that the lands had been notified for acquisition under Tamil Nadu Acquisition of Land for Industrial Purposes Act for SIPCOT and that another writ petition in W.P.No.4820 of 2014 has been filed against the acquisition of the lands in Survey No.61/6B along with other lands in Survey Nos.61/6C and 61/5 of Oragadam Village for SIPCOT. Though possession was not taken, in the Status report, the respondent made it clear that the land had already been acquired for SIPCOT in Survey No.61/6B to an extent of 0.26.0 Hectare under Industrial Purposes Act, 1997 and that subsequent proceedings initiated for acquiring the land to an extent of 00420 Sq.Metre in the same survey No.61/6B may be treated as null and avoid. Since it is stated that the acquisition under Tamil Nadu Highways Act is by mistake, nothing survives in this Writ Petition.

5.Recording the statement made by the second respondent in the Status Report, this writ petition is closed. No Costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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Copy to

1.The District Collector,
O/o.The District Collector,
Kanchipuram.

2.The Special Thasildhar (L.A),
Oragadam Industrail Park Road,
Infrastructure Scheme,
43/36, Nehru Street,
Sriperumpudur-602 105.

+1cc to the Government Pleader, S.R.No.14158

W.P.No.1775 of 2012

UM(CO)
CB(06/08/2021)