



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.14454 of 2021
and W.M.P.Nos.15339 and 15341 of 2021

Raja

...Petitioner

vs.

- 1.The Secretary to Government,
Highways Department,
Fort St.George,
Chennai - 600 009.
- 2.The Commissioner of Land Administration,
Chepauk,
Chennai - 600 005.
- 3.The Special District Revenue Officer (L.A.),
TNRSP II 68/136K, Gangai Street,
Highways colony,
Salem - 636 005.
- 4.The Divisional Engineer (H),
TNRSP II 68/136K, Gangai Street,
Highways colony,
Salem - 636 005.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, to call for the records relating to order passed by the 2nd respondent dated 31.10.2020 under section 15(1) of the act published in Tamil Nadu Government Gazette, part IV Section 1, quash the same in respect of petitioner's land an extent of 258 sq.mt. in S.No.32/4B at Periyasathapati Village, Mettur Taluk consequently direct the respondents to acquire 120 sq.mt. of land instead of 258 sq.mt.

For Petitioner : Mr.Elango

For Respondents : Mr.V.Veluchamy for R1 to R3
Government Advocate

ORDER

This writ petition has been filed for a certiorarified mandamus to quash the order passed by the second respondent dated 31.10.2020 under section 15(1) of the act published in Tamil Nadu Government Gazette, part IV Section 1, in respect



of petitioner's land an extent of 258 sq.mt. in S.No.32/4B at Periyasathapadi Village Mettur Taluk and direct the respondents to acquire 120 sq.mt. of land instead of 258 sq.mt.

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2.The learned counsel for the petitioner seeks permission of this Court to withdraw the above writ petition with liberty to challenge the Award dated 15.02.2021 passed by the Authorities.

3.The learned Government Advocate for the respondents 1 to 3 has filed a counter of the third respondent. The relevant paragraph of the counter is extracted hereunder:

After getting permission under Section 19(3) of the Act, the Award enquiry under section 19(5) of the act was conducted on 3.2.2021. Enquiry notice was served to the Writ petitioner, however, he did not appear for the Award enquiry. After conducting the enquiry, Award was passed on 15.02.2021 for the lands to be acquired in Periyasathapadi Village including the Writ Petitioner's land.

4.Recording the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate for the respondents 1 to 3, this writ petition is dismissed as withdrawn with liberty to the petitioner to challenge the Award dated 15.02.2021 passed by the Authorities. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
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Chennai - 600 009.
- 2.The Commissioner of Land Administration,
Chepauk,
Chennai - 600 005.
- 3.The Special District Revenue Officer (L.A.),
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Salem - 636 005.



4.The Divisional Engineer (H),
TNRSP II 68/136K, Gangai Street,
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+1 cc to Mr.M.Elango, Advocate Sr.NO. 50388
+1 cc to Government Pleader Sr.NO. 50854

W.P.No.14454 of 2021

vsn II(CO)
A.SK(25.10.2021)