



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

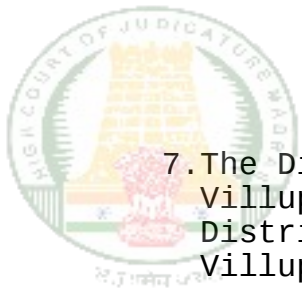
W.P.No.20064 of 2021

A.Suriya

...Petitioner

-VS-

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai 600 009.
- 2.Union of India,
Through Its Secretary,
Ministry of Education (Formerly HRD Ministry),
Shastri Bhawan, New Delhi 110 001.
- 3.The Secretary,
Auroville Foundation,
Auroville Foundation Bhavan,
Administrative Area - Town Hall,
Auroville, Villupuram 605 101,
Tamil Nadu,
- 4.The Chairman
National Highways Authority of India (NHAI),
No. G 5 and 6, Sector 10, Dwarka,
New Delhi 110 075.
- 5.The Project Director,
National Highways Authority of India (NHAI),
(Ministry of Road Transport and Highways),
No. 19, Govindasamy Nagar,
Vazhudha Reddy Post, Villupuram 605 401.
- 6.The Project Director,
PIU-Kancheepuram,
National Highways Authority of India,
No.7/16, Govindarajan Street,
Tambaram West, Chennai 600 045.



7.The District Collector,
Villupuram District,
District Collectorate,
Villupuram 605 602.

8.The General Manager,
Southern Railways, Park Town,
Chennai 600 003.

...Respondents

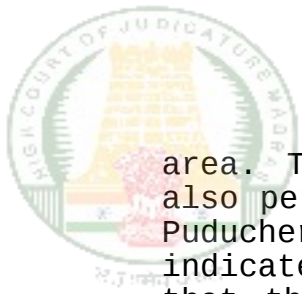
Prayer : Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent No.3 to pay additional Rs. 2 Crore per acre as penalty to the Auroville Master Plan affected land owners for prohibiting and rerouting the Puducherry -Chennai 4 way bypass and Puducherry-Chennai ECR train track infrastructures to undervalue the land market value in the Gazette of India notified Auroville Master Plan area and also directing the Auroville Foundation to pay a sum of Approx. Rs.255 Crores to NHAI of India and 110 Crores to Indian Railways for purposefully rerouting the NHAI's Puducherry-Chennai ECR 4 way bypass with Service roads and Indian Railway's ECR train track project from Perungudi via Puducherry to Cuddalore to additional 11 kms and for wasting public funds for their personal benefit or directing the NHAI and Indian Railways Authorities to reroute their aforementioned infrastructural projects as proposed early, that is adjacent to the Auroville Matser Plan area to benefit the 3 lakh daily commuters and prevent the wasting the public funds.

For the Petitioner	:	Mr.A.Suriya, Party-in-person
For the Respondents	:	Mr.P.Muthukumar, State Government Pleader, for RR 1 and 7
	:	Ms.S.R.Sumathi, Standing Counsel for RR 4 to 6
	:	Mr.P.T.Ramkumar, Standing Counsel, for R-8

ORDER

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

The petition, apparently filed in public interest and prosecuted by the petitioner personally, alleges that the Auroville Foundation persuaded the National Highways Authority of India to reroute the Puducherry-Chennai ECR four-lane highway to avoid the same passing through the Auroville Master Plan



area. The further allegation is that the Auroville Foundation also persuaded the Indian Railways to reroute the Paramakudi via Puducherry to Cuddalore line for the same purpose. The petition indicates at paragraph 11 of the affidavit in support thereof that the rerouting of the highway took place in the year 2011 and that of the railways in 2018. According to the petitioner, 11 km. of highway and railway line were added to the projects that resulted in public funds being wasted. On the petitioner's showing, these are past and concluded transactions and the projects have been over for a considerable period of time.

2. The next allegation in the petition is that by rerouting the highway and railway line, loss has been occasioned to the persons whose lands have been acquired. The prayer in the petition is for the Auroville Foundation to compensate the land-owners to the extent of Rs.2 crore per acre "as penalty".

3. Despite the petitioner, appearing in person not being able to coherently put across the grievance, the petition does not make out a better case. For a start, the projects have been completed and the highway project has been completed a decade ago, as the petition itself indicates. More importantly, if the grievance pertains to land- owners being deprived of the value of their lands in course of the acquisition thereof, that would give rise to individual causes of action to the land-owners and the cause cannot be espoused in public interest in the manner the petitioner has attempted to.

4. Since there does not appear to be any element of public interest in the matter, W.P.No.20064 of 2021 is not received. However, if the individual land-owners seek to take any measures in respect of the perceived loss suffered by them, the dismissal of this petition at the threshold will not affect such rights.

There will be no order as to costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

sra

To:

1.The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Fort St.George, Chennai 600 009.



2.The Secretary, Union of India,
Ministry of Education (Formerly HRD Ministry),
Shastri Bhawan, New Delhi 110 001.

3.The Secretary,
Auroville Foundation, Auroville Foundation
Bhavan, Administrative Area - Town Hall,
Auroville, Villupuram 605 101, Tamil Nadu,

4.The Chairman
National Highways Authority of India (NHAI),
No. G 5 and 6, Sector 10, Dwarka,
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5.The Project Director,
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7.The District Collector,
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District Collectorate,
Villupuram 605 602.

8.The General Manager,
Southern Railways, Park Town,
Chennai 600 003.

+1cc to Mr.P.T.Ramkumar, Advocate SR.No.48343

+1cc to Mr.A.Suriya, Party in Person SR.No.48280

+1cc to the Government Pleader SR.No.48245

W.P.No.20064 of 2021

PVS(CO)
RVM(29/09/2021)