



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29681 of 2014

and

M.P.No.1 of 2014

- 1.K.Velmurugan
- 2.S.Muthu Mariappan
- 3.R.R.Venkatesan
- 4.S.R.Amirthaganesan
- 5.N.Ramanujam
- 6.B.K.Jayalakshmi

...Petitioners

Vs.

- 1.The State of Tamil Nadu
Rep. by Secretary to Government
Housing & Urban Development Department
Fort St. George, Secretariat
Chennai 600 088
- 2.The District Collector
Kancheepuram District
Kancheepuram
- 3.The Land Acquisition Officer-cum-Speed
Tahsildar
MRTS, II Extension
Mylapore
Chennai 600 004
- 4.The Deputy Chief Engineer-I
Metropolitan Transport Project (Railways),
Southern Railways, Mylpore,
Chennai-4
[R4 impleaded as per Order dated 23.07.2015
in M.P.No.1 of 2015 in W.P.No.29681 of 2014]

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents herein, their men, agents, servants, subordinates or any other person or persons claiming



through them or authorized by them from, in any manner, interfering with or demolishing the Flats of the petitioners, viz. Flat Nos.G-1 to G-4 and F-1 to F-4 respectively in Sree Balaji Flats, Situate at Plot No.13, 36th Street, Thillaiganga Nagar, Nanganallur, Chennai-600 061, comprised in T.S.No.66/3 in Adambakkam Village, Alandur Municipality, (now Corporation of Chennai), Kancheepuram District.

For Petitioners : Mr.AR.L.Sundaresan
Senior Counsel
for Ms.AL.Ganthimathi

For R1 and R2 : Mr.T.Venkatesh Kumar
Special Government Pleader

For R3 : Mr.P.Kumaresan
Additional Advocate General
Assisted by Mrs.Veena Suresh

For R4 : Mr.P.T.Ram Kumar

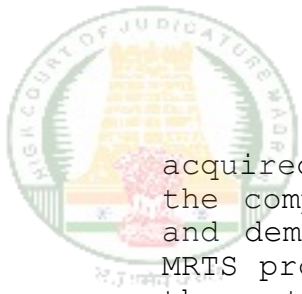
O R D E R

The relief sought for in the present writ petition is to forbear the the respondents herein, their men, agents, servants, subordinates or any other person or persons claiming through them or authorized by them from, in any manner, interfering with or demolishing the Flats of the petitioners, viz. Flat Nos.G-1 to G-4 and F-1 to F-4 respectively in Sree Balaji Flats, Situate at Plot No.13, 36th Street, Thillaiganga Nagar, Nanganallur, Chennai-600 061, comprised in T.S.No.66/3 in Adambakkam Village, Alandur Municipality, (now Corporation of Chennai), Kancheepuram District.

2. The learned senior counsel appearing appearing on behalf of the petitioners mainly contended that without following the due process of law, an attempt has been made by the respondents to demolish the flats belongs to the petitioners. The proposed MRTS project approved by the Union and State Government and accordingly the implementation commenced. Lands were acquired and compensations are also paid in accordance with law.

3. However, the petitioners raised an objection that demarcations were not made properly and there are ambiguities in the matter of measuring the particular portion of the land and thus, they are constrained to move the present writ petition.

4. In view of the allegations and apprehensions raised by the petitioners, this Court summoned the officials and directed them to measure and mark the portions, which all are



acquired for implementation of the MRTS project. Accordingly, the competent authorities conducted survey, measured the land and demarcated the area needed for the implementation of the MRTS project and the portions earmarked were also intimated to the petitioners, other owners and occupants, who all are in possession of the subject property. This being the exercise done by the competent authorities, this court is of an opinion that the respondents shall proceed in accordance with law for settlement of compensation and implementation of the project in the interest of public without causing any undue delay.

5. In this regard, the respondents are directed to proceed with the process to be completed and consequently, pay the compensation. In the event that the compensation had already been deposited, the petitioners may be permitted to withdraw the said compensation for which they are entitled. The petitioners are at liberty to seek enhancement or otherwise, if they have chosen to do so.

6. With this liberty, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

Jeni/Cse

To

- 1.The Secretary to Government,
The State of Tamil Nadu,
Housing & Urban Development Department,
Fort St. George, Secretariat,
Chennai 600 088.
- 2.The District Collector,
Kancheepuram District,
Kancheepuram.
- 3.The Land Acquisition Officer-cum-
Speed Tahsildar,
MRTS, II Extension,
Mylapore,
Chennai 600 004.
- 4.The Deputy Chief Engineer-I,
Metropolitan Transport Project (Railways),
Southern Railways, Mylpore,
Chennai-4



+1cc to Mr.P.T.Ram Kumar, Advocate SR.No.69646

+1cc to Mrs.Veena Suresh, Advocate SR.No.69457

+1cc to Mr.AL.Ganthimathi, Advocate SR.No.69715

+1cc to Government Pleader SR.No.69810

W.P.No.29681 of 2014

SSI (CO)

GMV (07/01/2022)