

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. NO. 24827 OF 2017

AND

W.M.P. NO.26230 OF 2017

Cedric Anthony Foregard

..Petitioner

Vs

1. Assistant Divisional Engineer (Highways)
Construction & Maintenance,
Tambaram Sub Division,
Opposite to Velacherry Railway Station,
Chennai - 600 042.

2. The District Collector,
Kanchipuram District,
Kanchipuram,
Pin - 631 501.

3. The Special Duty Tahsildar, (Land Acquisition)
Tamil Nadu Urban Development Scheme III,
New Street, Super Bazar Commercial Complex,
Alanthur, Pin - 600 119.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider for issuance of Maximum compensation under the Land Acquisition Act and other Acts and Rules in respect of the Petitioner's Nattham Land of an extent of 1268 Sq. Ft., and which was been already acquired by the 1st and 2nd Respondents on 09.09.2017, which is the part of the entire property bearing No.4/359 Sen Thamizh Nagar, Medavakkam, Sholinganallur, Kanchipuram District, Chennai-600 100, comprised in Nattham Survey Number 194 Old Nattham Survey Number 194/2 (Part), at No.5 Medavakkam Village, Sholinganallur Taluk, Kanchipuram District, within the Saidapet Joint-1 Sub Registration District, Chennai South Registration District and direct the Respondents, not to demolish and acquire the rear side portion of the land and building thereon measuring about 1,174 Sq.ft., of land and building thereon, the remaining part of the entire 3174 Sq.ft of land and building thereon bearing No.4/359, Sen Thamizh Nagar, Medavakkam, Sholinganallur, Kanchipuram District, Chennai-600

100, comprised in Nattham Survey Number 194/3, Old Nattham Survey Number 194/2 (Part), at No.5 Medavakkam Village, Sholinganallur Taluk, Kanchipuram District, within the Saidapet Joint-1 Sub Registration District, Chennai South Registration District.

For Petitioner : No appearance
For Respondents 1-3 : Mr. M.Elumalai
Additional Government Pleader

O R D E R

Despite the matter was included in the cause list earlier on two occasions, there was no representation for the petitioner. Hence, this Court by order dated 25.01.2021, after recording the absence of the petitioner, directed the Office to post the matter today under the caption "For dismissal". When the matter came up for hearing today, again no one appeared on behalf of the petitioner. This Court is inclined to dismiss this petition for non-prosecution since the learned counsel appearing for the petitioner or the petitioner has no interest in proceeding the case further.

2. Accordingly, this Writ Petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

bkn

To

1. Assistant Divisional Engineer (Highways)
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+1cc to the Government Pleader, S.R.No.4829

W.P. No. 24827 of 2017

SS (CO)

KKV/18/03/2021