



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

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THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.13885 of 2018

and

W.M.P (MD) .Nos.3023 of 2021

WEB COPY

V.Ramachandran

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by the Principal Secretary,
Highways Department,
Fort St.George, Chennai-9.
2. The District Collector,
Madurai District, Madurai.
3. The Revenue Divisional Officer,
Highways Acquisition,
Madurai.
4. The District Revenue Officer,
Competent Authority,
Highways Acquisition,
District Collectorate Office,
Madurai.

... Respondents

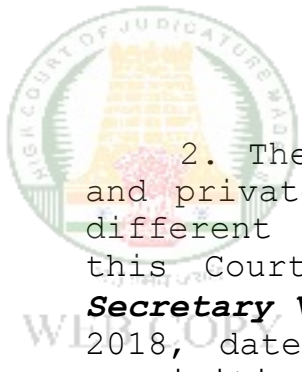
Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the impugned notifications issued by the fourth respondent in Na.Ka.No.35616/2014/P1 dated 17.04.2018 and quash the same as illegal in so far as it relates to the petitioner's property in Survey No.3164/2B and 3163/2B, Madurai North Taluk, Madurai.

For Petitioner : Mr.Mahaboob Athiff
for M/s.Ajmal Associates.

For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
Assisted by Mr.K.S.Selva Ganesan,
Counsel for the State for R1 to R4

O R D E R

The petitioner challenges the notifications issued by the fourth respondent in Na.Ka.No.35616/2014/P1, dated 17.04.2018, in so far as it relates to the property bearing Survey Nos.3164/2B and 3163/2B, Madurai North Taluk, Madurai.



2. The principal basis of challenge is that the public notice and private notice in relation to such acquisition were issued by different authorities. The petitioner relies upon the judgment of this Court in ***the American College, Rep. by its Principal and Secretary Vs. The State of Tamil Nadu***, W.P(MD).Nos.12847 to 12853 of 2018, dated 13.12.2018. In the said judgment, a challenge to the acquisition notification on the same ground was upheld by this Court. Consequently, the notifications were quashed.

3. Learned Additional Advocate General fairly submits that the present writ petition is squarely covered by the said judgment. Consequently, by following the said judgment, the impugned notifications dated 17.04.2018 are quashed in so far as the relevant property is concerned by leaving it open to the respondents to issue fresh notifications in accordance with law.

4. W.P(MD).No.13885 of 2018 is allowed without any order as to costs. Consequently, connected W.M.P(MD).Nos.3023 of 2021 is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary,
State of Tamil Nadu,
Highways Department,
Fort St.George, Chennai-9.
2. The District Collector,
Madurai District, Madurai.
3. The Revenue Divisional Officer,
Highways Acquisition, Madurai.
4. The District Revenue Officer,
Competent Authority,
Highways Acquisition,
District Collectorate Office, Madurai.

+1 CC to M/s.SPL.GP (SR-30044[F] dated 23/09/2021)

W.P. (MD)No.13885 of 2018

22.09.2021

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