



WEB COPY



W.P. No. 1779 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : **15.11.2022**

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos. 1779,2952,2957,2190,2196,2936,
2939,2941,2150,2149 and 2152 of 2020
and

W.M.P.Nos.3437,3439,3447,3448,2564,2570,3401,3403,3408,3409,3412,
3413,2058,2060, 2506,2508,2502, 2504,2507 and 2509 of 2020

1. S. Bhuvana ... Petitioner in W.P.No.1779 of 2020
2. M. Thamaraikannan ... Petitioner in W.P.No.2952 of 2020
3. P.R. Enian ...Petitioner in W.P.No.2957 of 2020
4. K. Narayanan ... Petitioner in W.P.No.2190 of 2020
5. S. Padmanabhan ... Petitioner in W.P.No.2196 of 2020
6. P. Mahalingam ... Petitioner in W.P.No.2936 of 2020
7. R. Sachithanantham ... Petitioner in W.P.No.2939 of 2020
8. G. Dhayalan Petitioner in W.P.No.2941 of 2020
9. A. Rajkumar ... Petitioner in W.P.No.2150 of 2020
- 10.V. Ramachandran ... Petitioner in W.P.No.2149 of 2020
11. N. Selvaraj ... Petitioner in W.P.No.2152 of 2020

Vs.

1. Land Acquisition and Revenue Divisional Officer,
Central Chennai Revenue Division,
Anna Nagar West Extension, Chennai – 600 101.

2. The Chennai Metro Rail Ltd
Represented by Its Chairman,
Admin Building, CMRL Depot,
Poonamallee High Road,Koyambedu, Chennai – 60 107

...Respondents in all W.P's



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Prayer in W.P.No.1779 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings Se.Ma.ThoE/11/LA 2020 for acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondent from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.,8 Town Survey No.187/11A (part) classified as a Ryotwari dry, building comprising of ground floor, 1st floor and 2nd floor, land of an extent of 55 square-meters, situated in Porur Village and pass orders.

Prayer in W.P.No.2952 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and



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quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.38 Town Survey No.412/21, building comprising of ground floor and first floor, land of an extent of 206 square-meters, situated in Porur Village and pass orders.

Prayer in W.P.No.2957 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.39 Town Survey No.412/22, classified as revenue dry, building comprising of ground floor and first floor, land of an extent of 53 square-meters, situated in Porur Village and pass orders.

Prayer in W.P.No.2190 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10



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of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.8 Town Survey No.187/11A (part) (Punjai) constructing comprising of ground floor and first floor, commercial shops, the land of an extent of 55 square-meters(part), situated in Porur Village and pass orders.

Prayer in W.P.No.2196 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.1 Town Survey No.184/2A1, classified as Revenue wet, building comprising of ground floor + 3 floors, commercial shops, land of an extent of 540 square-meters(part), situated in Porur Village and pass orders.



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Prayer in W.P.No.2936 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.7 Town Survey No.187/10 building comprising of ground floor and first floor, land of an extent of 65 square-meters(part), situated in Porur Village and pass orders.

Prayer in W.P.No.2939 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further



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acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.11 Town Survey No.187/13, building comprising of ground floor and first floor land of an extent of 231 square-meters(part), situated in Porur Village and pass orders.

Prayer in W.P.No.2941 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.13 Town Survey No.187/20. Clasified as Ryotwari Dry, building comprised of ground floor and first floor, land of an extent of 14 square-meters(part), situated in Porur Village and pass orders.

Prayer in W.P.No.2150 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings Se.Ma.ThoE/11/LA 2020 for acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi



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dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondent from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No..4 Town Survey No.187/3 building comprising of ground floor and 1st floor land of an extent of 231 square-meters, situated in Porur Village and pass orders.

Prayer in W.P.No.2149 of 2022: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.10 Town Survey No.187/12(part), building comprising of ground floor and first floor, land of an extent of 311 square-meters(part), situated in Porur Village and pass orders.

Prayer in W.P.No.2152 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the first Respondent in respect of the



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proceedings of the acquisition of lands for the second Respondent in respect of the Public Notice in Form B, under Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravoyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondents from any further acquisition process in terms of the said notice in respect of the property of the petitioner in Serial No.5 Town Survey No.187/4, building comprising of ground floor and first floor, land of an extent of 193 square-meters, situated in Porur Village and pass orders.

(For all W.P's)

For Petitioners : Mr.A.Palaniappan

For Respondent 1 : Mr. K.M.D. Muhilan
Government Advocate

For Respondent 2 : M/s Jayesh B.Dolia

C O M M O N O R D E R

These petitions have been filed challenging the acquisition of lands by the second Respondent in respect of the Public Notice in Form B, under



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Sub Section (2) of Section 3 of the Tamil Nadu Acquisition of Lands for Industrial Purposes Act, 1997 (Act 10 of 1997) published in the Tamil Daily Dina Thanthi dated 06.01.2020 for erection of Viaduct for the Metro Rail track running across the properties situated in Vanier Street, Porur Village, Maduravyal Taluk, Thiruvallur District required for Corridor-5MMCS-53, Chennai Metro Rail project and quash the same and consequently forbear the respondent from any further acquisition process in terms of the said notice in respect of the subject property belonging to the petitioners.

2. The learned standing counsel appearing for the third respondent would submits that on instruction that the 3rd respondent that even though they have issued the acquisition proceedings however, they will not acquire the subject lands.

3. Recording the submission made by the learned standing counsel appearing for the second respondent, no further orders are required in these petitions. Accordingly these writ petitions stands closed. No order as to costs. Consequently the connected miscellaneous petitions are closed.



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However, liberty is granted to the petitioners to file fresh petition if the acquisition process is carried at any later date.

17.11.2022

Index: Yes/ No

Internet: Yes/No

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1. Land Acquisition and Revenue Divisional Officer,
Central Chennai Revenue Division,
Anna Nagar West Extension, Chennai – 600 101.

2. The Chennai Metro Rail Ltd
Represented by Its Chairman,
Admin Building, CMRL Depot,
Poonamallee High Road,
Koyambedu, Chennai – 60 107

M.DHANDAPANI,J.

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