



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.1681 OF 2022
AND WMP.NO.1827 OF 2022

M.R.Dharshan Jain

...Petitioner

Vs.

1.The Principal Chief Secretary
George Town, Chennai 09

2.The Chief Engineer
Highways Department Government of Tamil Nadu
Guindy, Chennai 32

3.The Additional Chief Engineer
Highways Department Government of Tamil Nadu
Guindy, Chennai 32

4.The Divisional Engineer
Highways department Government of tamil Nadu
Guindy, Chennai 32

5.The District Revenue Officer
Revenue Office, Tiruvallur 602 001

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider representation dated 07.01.2022 and further direct the Respondent not to acquire the petitioners property without issuing proper notification.

For Petitioner : Mr.C.Lingam

For Respondent : Mr.M.Muthusamy
Government Advocate

O R D E R

Mr.M.Muthusamy, learned Government Advocate, takes notice for respondents No. 1 to 5. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.



2. The Writ Petition has been filed seeking direction to the respondents to consider representation dated 07.01.2022 and further direct the Respondent not to acquire the petitioners property without issuing proper notification.

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3. The facts of the case are as follows:

The petitioner is the absolute owner of the property in Survey no.54/6A1F1, bearing patta No.3090 measuring an extent of 3245 sq. ft. The petitioner is in the possession of the above said property till date. The respondents 2 to 4 approached the petitioner and stated that the Government had chosen his property for a public purpose and they had come to acquire and demolish the part of his property. Therefore, the petitioner made a representation dated 07.01.2022 to the respondents seeking above said remedy.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the third respondent to consider the petitioner's representation and pass appropriate orders within the stipulated time as fixed by this Court.

5. On the other hand, the learned Government Advocate submitted that the third respondent will be considered the representation of the petitioner and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. Heard the learned counsel for the petitioner and the learned Government Advocate appearing on behalf of the respondents and perused the materials available on record.

7. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, the second respondent is directed to consider the representation of the petitioners' dated 07.01.2022 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

rli



To

1.The Principal Chief Secretary
George Town, Chennai 09

2.The Chief Engineer
Highways Department Government of Tamil Nadu
Guindy, Chennai 32

3.The Additional Chief Engineer
Highways Department Government of Tamil Nadu
Guindy, Chennai 32

4.The Divisional Engineer
Highways Department Government of Tamil Nadu
Guindy, Chennai 32

5.The District Revenue Officer
Revenue Office,
Tiruvallur 602 001

+1cc to Mr.C.Lingam, Advocate Sr.No.8249

+1cc to the Government Pleader Sr.No.8359

W.P.No.1681 of 2022
and WMP. No.1827 of 2022

SR(CO)
RVM(01/03/2022)