



WEB COPY



W.P.No.13584 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13584 of 2019

And

W.M.P.Nos.13660, 13662 and 13664 of 2019

1.Rajeev Mecheri
2.Anand Mecheri

... Petitioners

Vs.

- 1.The Principal Secretary to Government,
Planning Development and
Special Initiatives (S.I) Department,
Secretariat,
Chennai – 600 009.
- 2.The Revenue Divisional Officer and
Land Acquisition Officer,
South Chenani Revenue Division,
Guindy,
Chennai – 600 032.
- 3.The District Collector,
Chennai District,
Chennai – 600 009.
- 4.The Chennai Metro Rail Limited
Represented by its Managing Director,
Admin Building,
CMRL Depot,
Poonamallee High Road,
Koyambedu,
Chennai – 600 107.

... Respondents



W.P.No.13584 of 2019

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the pertaining to the orders passed by the first respondent herein in G.O.Ms.No.32, Planning, Development and Special Initiatives (S.I) Department, dated 17.04.2018 and the show cause notice dated 01.11.2018 issued by the second respondent herein under sub - section (2) of section 3 of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) insofar as Mylapore Part- 1 Village, Mylapore Taluk, Chennai District for Corridor 4-05 Alwarpet Metro Station in Block No.34, Survey No.1654/6 and 1654/41 to a total extent of 137.0 sq.mt. and 19.0 sq.mt. respectively, is concerned and quash the same as illegal and arbitrary and consequently restrain the respondents herein from in any way interfering with the petitioner's peaceful possession of land in Survey No.1654/6 of Mylapore Part- 1 Village, Mylapore Taluk, Chennai District.

For Petitioner : Mr.R.Parthasarathy
For Respondents : Mr.B.Vijay for R1 to R3
Additional Government Pleader
M/s.Jayesh B.Dolia for R4



W.P.No.13584 of 2019

ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the orders passed by the first respondent in G.O.Ms.No.32, Planning, Development and Special Initiatives (S.I) Department, dated 17.04.2018 and the show cause notice dated 01.11.2018 issued by the second respondent under sub - section (2) of Section 3 of the Tamil Nadu Acquisition of land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) insofar as Mylapore Part- 1 Village, Mylapore Taluk, Chennai District for Corridor 4-05 Alwarpet Metro Station in Block No.34, Survey No.1654/6 and 1654/41 to a total extent of 137.0 sq.mt. and 19.0 sq.mt. respectively, is concerned and quash the same as illegal and arbitrary and consequently restrain the respondents herein from in any way interfering with the petitioner's peaceful possession of land in Survey No.1654/6 of Mylapore Part- 1 Village, Mylapore Taluk, Chennai District.

2.The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that during the pendency of this writ petition, the land was acquired through private negotiations with the petitioner and the petitioner entered into MOU

3/6



W.P.No.13584 of 2019

WEB COPY

with the Chennai Metro Rail Limited and the matter was amicably settled and the entire compensation amount has also been paid to the petitioner. Hence, no further adjudication is necessary in this writ petition.

3.Since the petitioner entered into MOU with the Chennai Metro Rail Limited and has also received the entire compensation amount, no further adjudication is necessary in this writ petition. However, liberty is granted to the petitioner to challenge the 3(1) Notification in the manner known to law, if it is issued.

4.With the above observations, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are also closed.

11.11.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



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