



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9787, 1614 & 1213 of 2022

W.M.P.Nos.9510, 1754 & 1291 of 2022

1.R.Balakrishnan	... Petitioner in W.P.No.9787 of 2022
2.V.R.S.Murali	... Petitioner in W.P.No.1614 of 2022
3.V.R.Mariappan	... Petitioner in W.P.No.1213 of 2022

Vs.

The Project Director,
NHAI, PIU Kancheepuram,
National Highways Authority of India,
No.7/16, Govindarajan Street,
Tambaram West - 600 045.

...Respondent in all W.Ps

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondent, their men, servants or agents from in any manner interfering with possession of the petitioners in his property situated at Poonamallee, Chennai - 600 056, total measuring 2190 Sq.ft in Patta No.5597 in survey no.212/1A1, 2 1/2 cents in Patta No.2369 in Old S.No.212/1-A, New S.No.212-1A3 and property situated at Door No. 222 bye Pass Road, Poonamallee, Chennai 56 measuring 1962 Sq.ft in Patta No.5153 in S.No.212/1A2 and 1746 Sq.ft in Patta No.5153 in S.No.209/2 respectively, without following the due process of law.

For petitioners	: Mr.R.Suresh Kumar (In all W.Ps)
in all W.Ps	for K.M.Vijayan Associates

For Respondents	: Mr.Su.Srinivasan (In all W.Ps)
in all W.Ps	Standing Counsel

COMMON ORDER

The petitioners have filed these petitions to forbear the respondent, their men, servants or agents from in any manner interfering with possession of the petitioners in his property situated at Poonamallee, Chennai - 600 056, total measuring 2190 Sq.ft in Patta No.5597 in survey no.212/1A1, 2 1/2 cents in Patta No.2369 in Old S.No.212/1-A, New S.No.212-1A3, measuring 1962 Sq.ft in Patta No.5153 in S.No.212/1A2 and 1746 Sq.ft in



Patta No.5153 in S.No.209/2 respectively, without following the due process of law.

2. Mr.Su.Srinivasan, learned Standing Counsel takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioners is that they are the owners of the properties comprised in S.No.212/1A1 in Patta No.5597, S.No.212/1A3 in Patta No.2369, S.No.212/1A2 in Patta No.5153 and S.No.209/2 in Patta No.5153 situated at Poonamallee, Chennai. However, without any due process of law the respondent is trying to demolish the petitioners buildings. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that during the process of filing the present writ petition, the entire properties were demolished and have taken possession by the respondent without any due process of law.

5. The learned Counsel appearing for the respondent submits that the petitioners properties were demolished only after the due process of law. However, petitioner may approach the competent forum for claiming their grievance.

6. Recording the submissions made by the learned counsel appearing the respondent, the present writ petitions are closed. In view of the above submissions, the prayer sought by petitioners in the present writ petition cannot be granted. However, liberty is granted to petitioners, to work out their remedy in the manner known to law.

7. Accordingly, all these writ petitions are closed. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar



To

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The Project Director,
NHAI, PIU Kancheepuram,
National Highways Authority of India,
No.7/16, Govindarajan Street,
Tambaram West - 600 045.

+2 CCS to M/s.K.M. Vijayan Associates sr 27756, 27757.

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SKM(CO)
SP(10/05/2022)