



W.P.No.18497 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.18497 of 2021
and
WMP.No.19731 & 19733 of 2021

V.Kattappan

...Petitioner

Vs.

1. The Government of India,
Rep. by its Secretary,
Ministry of Road Transport and Highways,
Transport Bhavan, New Delhi - 110 001.
2. The National Highways Authority of India,
G5 & 6, Sector 10, Dwarka,
New Delhi.
3. The District Collector,
Tiruvallur,
Tiruvallur District - 602 001.
4. The Competent Authority,
Special District Revenue Officer,
(Land Acquisition National Highways-716B),
Tiruvallur,
Tiruvallur District - 602 001.
5. The Project Director,
The National Highways Authority of India,

1/5



W.P.No.18497 of 2021

No.7/16, Govindarajan Street,
Tambaram West, Chennai - 600 045.

...Respondents

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the Notification S.O.No.966(E) dated 03.03.2020 published in daily edition The Hindu dated 18.03.2021 by the fourth respondent and impugned order Na.Ka.No. 143/2020/A1.S.D.R.O/N.H passed by the fourth respondent dated 07.09.2020 and consequential impugned notification issued by the 4th respondent under sub Section (3) and (4) of the Section 3(G) of the National Highways Act, 1956 in R.C.No.143/2020/Spl.DRO(LA),NH-716B dated 14.07.2021 in Daily edition The Hindu dated 20.07.2021 and quash the same as illegal.

For Petitioner : Mr.Ayyadurai, Senior Counsel
for K.Magesh

For Respondents : Mr.Rajesh Vivekananthan,
Assistant Solicitor General of India, for R1
: Mrs.S.R.Sumathy, for R2 & R5
: Mr.R.Neelakandan, AAG,
Assisted by Mr.K.M.D.Muhilan, GA, for R3 & 4

ORDER

Though this petition has been filed challenging the notification issued under Section 3D of the National Highways Act, 1956, in and by which the 4th respondent rejected the petitioner's objection and the consequential notification dated 14.07.2021 issued under Section 3G(3) & (4) of the said Act, however, it is to be pointed out that once the notification under Section 3D is issued, automatically the land vests with the Government and in the present case, as a further development, the land has already been utilised,



W.P.No.18497 of 2021

this Court is of the view that nothing survives for further adjudication in the present Writ petition.

2. In view of the above, this Writ petition is dismissed. No costs.

Consequently, connected Miscellaneous petitions are closed.

01.11.2022
(1/3)

skt

Speaking Order : Yes/ No
Index : Yes/ No

To

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3/5



W.P.No.18497 of 2021

5. The Project Director,
The National Highways Authority of India,
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M.DHANDAPANI, J.

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W.P.No.18497 of 2021
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W.P.No.18497 of 2021

01.11.2022