



WEB COPY



W.P.No.7564 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.7564 of 2017
and W.M.P.No.8245 of 2017

P.Murthi

... Petitioner

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur.

2.The Special Deputy Collector,
Tamil Nadu Urban Development Project – III,
Poonamalee, Chennai.

3.The Assistant Divisional Engineer (H),
Sub-Division – 6,
Chennai Mega Metro City Development Project,
Chennai – 600 015.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to take necessary legal measures to consider the representation of the petitioner dated 12.08.2016 and given necessary legal protection to the property of the petitioner and not to disturb the peaceful possession and enjoyment of the property, situated at No.108, Vadakarai Railway Station Road, Korattur, Chennai – 600 076 in S.No.143/2, Ward-E, Block-40, Korattur Village,



W.P.No.7564 of 2017

Ambattur Taluk, Tiruvallur District except due process of law.

WEB COPY For Petitioner

: M/s.R.Prabhavathy

For Respondents 1 & 2 : Mr.K.M.D.Muhilan,
Government Advocate

For Respondent 3 : Tapal returned “Vacated”

ORDER

The petitioner has filed this writ petition for issuance of Writ of Mandamus directing the respondents to take necessary legal measures to consider the representation of the petitioner dated 12.08.2016 and given necessary legal protection to the property of the petitioner and not to disturb the peaceful possession and enjoyment of the property, situated at No.108, Vadakarai Railway Station Road, Korattur, Chennai – 600 076 in S.No.143/2, Ward-E, Block-40, Korattur Village, Ambattur Taluk, Tiruvallur District except due process of law.

2. The case of the petitioner is that the property consisting of house and shop situated in T.S.No.143/2, Ward E, Block 40, Korattur Village, Ambattur Taluk, Tiruvallur District was belongs to the petitioner. Whiles, the second



W.P.No.7564 of 2017

respondent issued a public notice dated 30.09.2009 and took possession of 69 sq.mt land of petitioner's property for the purpose of construction of Railway over bridge. This being the case, the third respondent without any authority, entered into the petitioner's house property and stated that they have to take another 10 feet of land. Therefore, the petitioner made a representation dated 12.08.2016 before the third respondent seeking not to acquire the petitioner's land, however, till date, no order was passed. Aggrieved over the same, this writ petition is filed.

3. Learned Government Advocate appearing for the respondents on instruction submitted that the respondents have already acquired 69 sq.mt of land from the petitioner and no acquisition proceeding is pending. However, he further submitted that the the petitioner's land will not be acquired without due process of law.

4. Recording the submission made by the learned Government Advocate appearing for the respondents, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.



W.P.No.7564 of 2017

18.11.2022

vm

Index : Yes/No

Speaking Order : Yes/No

M.DHANDAPANI,J.

vm

To:

- 1.The District Collector,
Tiruvallur District,
Tiruvallur.
- 2.The Special Deputy Collector,
Tamil Nadu Urban Development Project – III,
Poonamalee, Chennai.
- 3.The Assistant Divisional Engineer (H),
Sub-Division – 6,
Chennai Mega Metro City Development Project,
Chennai – 600 015.

W.P.No.7564 of 2017



WEB COPY



W.P.No.7564 of 2017

18.11.2022