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W.P. No. 3553 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : **17.11.2022**

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos. 35553,35559 and35562 of 2019

and

W.M.P.No.36407,36419,36426,36412,36404 and36424 of 2019

- | | |
|--------------|--|
| 1. Peter | ... Petitioner in W.P.No.35553 of 2019 |
| 2. J. Geetha | ...Petitioner in W.P.No.35559 of 2019 |
| 3. Leeladevi | ...Petitioner in W.P.No.35562 of 2019 |

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.

2. The Special Tahsildar (Land Acquisition)
Kancheepuram Unit,
Chennai Metro Rail Ltd.,
Gopalapuram, Chennai – 600 088.

3. The Estate Officer and Joint General Manager,
Chennai Metro Rail Ltd.,
CMRL Depot, Admin Building,
Poonamalee High Road,
Koyambedu, Chennai

...Respondents in all W.Ps

Prayer in W.P.No.35553 of 2019: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari calling for the records relating to the impugned proceedings of the 3rd



W.P. No. 3553 of 2019

Respondent herein dated 13.12.2019 in Rc.No.EST/D.N/land-phase-1/11/2019, quash the same and pass orders.

Prayer in W.P.No.35559 of 2019: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari calling for the records relating to the impugned proceedings of the 3rd Respondent herein dated 13.12.2019 in Rc.No.EST/D.N/land-phase-1/18/2019, quash the same and pass orders.

Prayer in W.P.No.35562 of 2019: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari calling for the records relating to the impugned proceedings of the 3rd Respondent herein dated 13.12.2019 in Rc.No.EST/D.N/land-phase-1/19/2019, quash the same and pass orders.

(In all petitions)

For Petitioners : Mr.A.R.L.Sundaresan for A.L.Gandhimathi

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

For Respondent-3 : M/s Jayesh B.Dolia

C O M M O N O R D E R

The petitioners have filed these Writ petitions for issuance of a Writ of Certiorari calling for the records relating to the impugned proceedings of the 3rd Respondent herein dated 13.12.2019 in Rc.No.EST/D.N/land-phase-1/18/2019 and Rc.No.EST/D.N/land-phase-1/19/2019 and quash the same.



W.P. No. 3553 of 2019

WEB COPY

2. The case of the petitioners are that the second respondent acquired the subject land and further an award was also passed in Award No.1 of 2011 dated 31.05.2011, pursuant to which the petitioners have challenged the acquisition proceedings in W.P.No.14608 of 2011 but, however finally agreed to receive the compensation and also received the compensation amount and recording the same the said writ petition was closed. When this being the case, the 3rd respondent issued a demand notice dated 13.12.2019 demanding the petitioners to pay rent as the petitioners are using the CMRL land for his ingress and egress. Aggrieved over the same the petitioners have come up with these writ petitions.

3. The learned standing counsel appearing for the third respondent submits, on instruction that the 3rd respondent will not demand any payment of rent and permits for free ingress and egress to the petitioners and is expressing to withdraw the demand notice.

4. Recording the submission made by the learned standing counsel appearing for the third respondent, the 3rd respondent is permitted to



W.P. No. 3553 of 2019

withdraw the impugned demand notice. Accordingly, these writ petitions stands closed. No order as to costs. Consequently the connected miscellaneous petition are closed.

17.11.2022

Index: Yes/ No

Internet: Yes/No

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To

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M.DHANDAPANI,J.

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