



W.P.No.6587 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

**THE HONOURABLE MR. JUSTICE M.S. RAMESH**

**W.P.No.6587 of 2023 and W.M.P. No.6657 of 2023**

S.Gopal

...Petitioner

Vs

- 1.The State of Tamil Nadu,  
rep. by its Secretary,  
Revenue Department,  
Fort St. George,  
Chennai – 600 009.
- 2.The Director (Planning),  
Directorate of National Highways,  
Sree Tower 3<sup>rd</sup> Floor,  
Developed Plots-34 (South Phase),  
Guindy Industrial Estate,  
Chennai – 600 032.
- 3.The District Collector,  
Collectorate,  
Thiruvallur – 602 003.
- 4.The Special District Revenue Officer (L.A),  
National Highways, Thiruvallur.
- 5.The Special District Revenue Officer (L.A),  
National Highways,  
Kanchipuram.



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6.The Revenue Divisional Officer,  
Ponneri,  
Thiruvallur District – 601 204.

7.The Tahsildar,  
Taluk Office,  
Ambattur,  
Thiruvallur District – 600 053.

8.The Tahsildar,  
Taluk Office,  
Maduravoyal,  
Chennai – 600 095.

9.The Special Tahsildar,  
Land Acquisition,  
National Highways,  
Besant Nagar,  
Chennai – 600 090.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the fourth respondent in டி.கூ.472/2022/சே/நெ/4&5 dated 18.10.2022 and quash the same and consequently direct him to grant of compensation amount at the present market value together with interest for the Survey No.228/4B admeasuring 2430 sq.ft. (5.56 cents), Plot No.67 at Om Sakthi Nagar, Vanagaram Village, Maduravoyal Taluk, Thiruvallur District (Now in Greater Chennai).



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For Petitioner : Mr.K.Murugesan  
For R1, 3 to 9 : Mr.P.Sathish,  
Additional Government Pleader  
R2 : Mr.Su.Srinivasan,  
Standing Counsel

### **ORDER**

Heard Mr.K.Murugesan, learned counsel for the petitioner, Mr.P.Sathish, learned Additional Government Pleader for respondents 1, 3 to 9 and Mr.Su.Srinivasan, learned Standing Counsel for the second respondent.

2.The writ petition has been filed, challenging the impugned order dated 18.10.2022 passed by the fourth respondent in ந.க.472/2022/சே/நெ/4&5 and seeking for a direction to the respondents to grant compensation amount at the present market value together with interest for the Survey No.228/4B, admeasuring to an extent of 2430 sq.ft., situated at Plot No.67, Om Sakthi Nagar, Vanagaram Village, Maduravoyal Taluk, Thiruvallur District.

3.The petitioner, under the impression that his land in S.No.228/4



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(Part) has been acquired by the respondents herein, had filed the present writ petition seeking for a direction to the respondents to pay compensation.

4.In the impugned order, it is stated that an enquiry was conducted on the petitioner's representation in this regard and it was explained to the petitioner that his land in S.No.228/4 (Part) was not acquired.

5.In this background, the petitioner had also given a letter dated 18.10.2022 to the respondents stating that he understood that the property in S.No.228/4 (Part) has not been acquired.

6.The learned Additional Government Pleader has also produced a copy of the letter of the petitioner before this Court.

7.When the petitioner's lands have not been acquired, the question of payment of compensation does not arise and such a reason assigned in the impugned order cannot be found fault with.



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8. Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected W.M.P. stands closed.

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Index: Yes/No

Speaking order/Non-speaking order  
vga

To

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**M.S.RAMESH,J.**

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