



WEB COPY

WP No.16087 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14-09-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.16087 of 2020

And

WMP Nos.20037, 20041 and 20042 of 2020

The Akshaya Vidya Trust,
(Administering Vedavalli Vidyalyaya Senior
Secondary School),
25-B, SIPCOT Industrial Complex,
Ranipet,
Vellore District-632 403 Represented by
its Trustee

... Petitioner

Vs.

1.Union of India Represented by its Secretary,
Ministry of Road Transport and Highways,
Transport Bhavan,
No.1, Parliament Street,
New Delhi – 110 001.

2.The National Highways Authority of India,
G 5&6, Sector-10, Dwarka,
New Delhi – 110 075 Represented by
its Chairman.



3.The Project Director,
Project Implementation Unit – Krishnagiri,
National Highways Authority of India,
Door No.259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri – 635 001.

4.Competent Authority and Special District
Revenue Officer,
Land Acquisition (NH-4 and 46),
Vellore District,
Vellore-9.

5.Special Tahsildar (Land Acquisition),
National Highways,
Vellore-9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents from acquiring/taking possession of the property at 147/1C1A, 147/2A1 and 147/3A, 147/3B1, Katteri Village, Walajah Taluk, Ranipet District, over and above 2700 sq.meters/66.7 cents by proceedings of the fourth respondent in Rt.G.No.20357/2002 dated 20.05.2004 and 20.12.2006 within the compound wall of the school constructed on the North of National Highway in NH-4 and 46.

For Petitioner : Mr.Niranjan Rajagopalan for
M/s.G.R.Associates.

For Respondent-1 : Mr.M.Arvind Kumar,
Senior Central Government Panel Counsel.



For Respondents-2 and 3 : Mr.Su.Srinivasan

For Respondents-4 and 5 : Mr.T.Arunkumar,
Additional Government Pleader.

ORDER

The relief sought for in the present writ petition is for a Mandamus to forbear the respondents from acquiring/taking possession of the property at 147/1C1A, 147/2A1 and 147/3A, 147/3B1, Katteri Village, Walajah Taluk, Ranipet District, over and above 2700 sq.meters/66.7 cents by proceedings of the fourth respondent in Rt.G.No.20357/2002 dated 20.05.2004 and 20.12.2006 within the compound wall of the school constructed on the North of National Highway in NH-4 and 46.

2. The learned counsel for the petitioner mainly contended that it would be suffice if the subject land has been surveyed and boundaries are fixed accordingly. The survey if conducted would resolve the issues between the parties in respect of acquisition proceedings.



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3. The interim relief sought for in the present writ petition is to survey the area.

4. The learned Senior Central Government Panel Counsel appearing on behalf of the National Highways Authority of India also reiterated that by conducting survey on the disputed subject land, the issues can be settled amicably.

5. In view of the said submissions made by the parties to the writ petition on hand, the respondents 4 and 5 are directed to survey the disputed subject land with the assistance of the Jurisdictional Surveyor and fix boundaries of the acquired land and the left out portion of the disputed subject land. The petitioner shall co-operate for the survey of the disputed subject land. The respondents 4 and 5 are directed to complete the abovesaid survey of the disputed subject land, within a period of four weeks from the date of receipt of a copy of this order and the rest of the issues may be resolved by following the procedures as contemplated.



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6. Accordingly, the present writ petition stands disposed of.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

14-09-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

1.The Secretary,
Union of India,
Ministry of Road Transport and Highways,
Transport Bhavan,
No.1, Parliament Street,
New Delhi – 110 001.

2.The Chairman,
National Highways Authority of India,
G 5&6, Sector-10, Dwarka,
New Delhi – 110 075.



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3.The Project Director,
Project Implementation Unit – Krishnagiri,
National Highways Authority of India,
Door No.259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri – 635 001.

4.Competent Authority and Special District
Revenue Officer,
Land Acquisition (NH-4 and 46),
Vellore District,
Vellore-9.

5.Special Tahsildar (Land Acquisition),
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