



WEB COPY



W.P.Nos.19917 & 19922 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.19917 & 19922 of 2021 &
W.M.P.Nos.21163, 21166, 21174 & 21175 of 2021

Alphonse

...Petitioner in both W.Ps.

Vs.

1.The District Collector,
Cuddalore.

2.The Special District Revenue Officer cum Competent Authority,
National Highways 227, Kattumannarkoil,
Cuddalore.

3.The Special Tahsildar – Land Acquisition,
National Highways 227,
Kattumannarkoil,
Cuddalore.

4.The Territory Manager (Retail),
Bharat Petroleum Corporation Ltd.,
Raj Towers, Near Kalaingar Arivalayam,
Karur Bypass Road, Trichy – 620 002.

5.The Project Director,
National Highways Authority of India,
National Highways 227, Villupam
(R5 impleaded vide order dated

..Respondents in both W.Ps.



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29.09.2021 made in
W.M.P.Nos.22038 & 22039 of 2021)

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Prayer in W.P.No.19917 of 2021: Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the Notification dated 03.03.2017 under section 3 (A) (1) and Notification under the section 3 (D) (1) dated 21.08.2017 and the Award dated 16.07.2018 in respect of the lands of an extent of 962 Square Meters in survey No.54/ 3B and 790 Square Meters in Survey No.54/4B Mannarkudi Village, Kattumannarkoil Taluk, Cuddalore District and quash the same.

Prayer in W.P.No.19922 of 2021: Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the Notification dated 27.06.2019 under section 3 (A) (1) and Notification under the section 3 (D) (1) dated 13.08.2019 in respect of the lands of an extent of 50 Square Meters in survey No.54/ 3B and 74 Square Meters in Survey No.54/4B Mannarkudi Village, Kattumannarkoil Taluk, Cuddalore District and quash the same.

For Petitioner
in both W.Ps. : Mr.AR.Karthik Lakshmanan

For Respondents 1 to 3
in both W.Ps. : Mr.P.Kumaresan,
Additional Advocate General,
Assisted by,
Mr.E.Sundaram,
Government Advocate

For Respondent 4



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in both W.Ps. : No appearance

For Respondent 5

in both W.Ps. : Mr.Su.Srinivasan

COMMON ORDER

In respect of similar issues raised in these writ petitions, the Orders passed by this Court in W.P.Nos.15153 & 15156 of 2023 on 05.06.2023 was taken by way of appeals in W.A.Nos.1286 & 1287 of 2023 respectively. The Division Bench of this Court disposed of the said writ appeals on 07.07.2023, since the possession had already been taken by the respondents. Thus, the petitioner has chosen to withdraw these writ petitions.

2. The writ petitions itself were filed challenging the notification issued under section 3A of the National Highways Act and the process was concluded in all respect and pursuant to the orders passed by this Court on 05.06.2023, the National Highways Authorities have taken possession of the property. Thus, no further adjudication is required. If any grievance exists for the petitioner, he is at liberty to workout his remedy in the manner provided under the Act.



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3. With this liberty, the writ petitions stand dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

01.08.2023

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Index : Yes

Speaking Order

Neutral Citation : Yes



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S.M.SUBRAMANIAM, J.

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