



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2023**

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD)No.1285 of 2014
and
M.P.(MD)No.1 of 2014

- 1.Thiyagarajan
- 2.Balamani
- 3.Thangavel
- 4.Mahalingam
- 5.Tamilarasi
- 6.Parameswaran
- 7.Selvam
- 8.M.Mahalingam
- 9.P.Ramamoorthi
- 10.T.Rajaram
- 11.R.Parthiban
- 12.Murugesan
- 13.Vel Murugan
- 14.G.Kannan
- 15.Kamaraj
- 16.K.Hameed
- 17.Veera Chandrasekar
- 18.Subbu Lakshmi Ammal
- 19.Jeyaprakash
- 20.G.Sonai
- 21.Mariyammal
- 22.R.Moorthi
- 23.G.Deivarani

...Appellants

-Vs.-



WEB COPY

1. The State of Tamil Nadu
represented by its Secretary to Government,
Highways Department,
Fort St. George, Chennai-9.

2. The District Collector,
Madurai District, Gandhi Nagar,
Madurai -20.

3. The District Revenue Officer,
Madurai District, Gandhi Nagar,
Madurai -20.

4. The Divisional Engineer,
(Planning),
Tamil Nadu Highways Department,
Madurai-2.

5. The Deputy Chief Engineer,
Southern Railway, Arasaradi, Madurai – 16. ...Respondents

PRAYER:- Writ Appeal - filed under Clause 15 of Letters Patent Act, to
set aside the order dated 05.09.2014 made in W.P.(MD)No.11950 of 2014
on the file of this Court.

For Appellants	: Mr.Sujeeth for Mr.S.M.A.Jinnah
For R1 to R4	: Mr.T.Amjadkhan Government Advocate
For R5	: Mr.K.Govindarajan



WEB COPY

JUDGMENT

(Judgment of the Court was delivered by **DR.ANITA SUMANTH, J.**)

The Writ Petition had been filed challenging a notice under Section 15(2) of the Tamil Nadu Highways Act, 2001, in relation to a proposal to acquire land for a service road abutting the railway bridge over railway level crossing gate No.371. The Writ Petition had been dismissed on 05.09.2014, as against which the present Writ Appeal has been filed.

2. There has been no interim protection granted pending Writ Appeal and we had, on the earlier occasion, sought particulars in regard to the status of the project itself, whether any award had been passed by the authorities and whether any compensation paid over to the petitioners.

3. A compilation has been filed today by the State to the effect that an interim award had been passed on 13.01.2015 and final award on 20.02.2022. Learned Government Advocate states that out of 23 petitioners, lands were not even acquired in some cases and in the cases,



WEB COPY

where lands had been acquired, compensation has been received by the parties. The award has not been challenged by any of the Writ Petitioners.

4. Recording this and since we are of the view that nothing further survives in this matter, this Writ Appeal is closed. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.,] & [R.V.J.,]
27.07.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No

cmr



To
WEB COPY

- 1.The Secretary to Government,
The Sate of Tamil Nadu,
Highways Department,
Fort St.George, Chennai-9.
- 2.The District Collector,
Madurai District, Gandhi Nagar,
Madurai -20.
- 3.The District Revenue Officer,
Madurai District, Gandhi Nagar,
Madurai -20.
- 4.The Divisional Engineer,
(Planning),
Tamil Nadu Highways Department,
Madurai-2.



WEB COPY



DR.ANITA SUMANTH, J.
AND
R.VIJAYAKUMAR, J.

cmr

W.A.(MD)No.1285 of 2014

27.07.2023