



WEB COPY



W.P.(MD)No.24594 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.24594 of 2019

and

W.M.P.(MD)No.21249 of 2019

M.Munian

Vs.

... Petitioner

- 1.The District Collector,
Madurai District, Madurai.
- 2.The District Revenue Officer,
Madurai District, Madurai-20.
- 3.The Project Director,
National Highways Authority of India,
P.I.U., New No.6 (Old No.44), I Floor,
III Main Road, Ponnagar,
Tiruchirappalli-625 001.
- 4.The Assistant Divisional Engineer (H),
Projects Sub Division-II,
Thamarai Thotti, Madurai-625 002.
- 5.The Special Tahsildar (L.A.),
National Highways 45-B,
Unit-I, Office of the District Collector,
Madurai-625 020.

...Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the impugned general notice prepared and signed with corrections as 11.11.2019 and affixed at dusk on 15.11.2019 in the petitioner's premises by the fourth respondent and quash the same.

For Petitioner : Mr.M.Munian

Party in Person

For RR1, 2, 4 & 5 : Mr.S.Shanmugavel,

Additional Government Pleader

For R3 : No Appearance

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The public notification issued by the Assistant Divisional Engineer dated 11.11.2019 is sought to be quashed in the present Writ Petition.

2.With reference to the grievances of the petitioner that there is a proposal to acquire the lands owned by him, the learned Government Pleader represented that there is no such proposal to acquire the patta land belonging to the petitioner.



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3.It is brought to our notice that originally the proposal to acquire the land has been dropped and the Assistant Divisional Engineer in this regard filed an affidavit stating that encroachment eviction notice was issued on 11.11.2019 by the 4th respondent to the petitioner and during the execution of work, it was found that existing Right of way was sufficient to provide service road for a width of 7.5 m and drain cum footpath for a width of 2.00 m as per standards and further eviction proceedings was not carried out in this work.

4.Since a decision was taken not to acquire the land belonging to the petitioner, no further consideration needs to be undertaken in respect of the grounds raised in the present Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)

04.10.2023

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

Yuva



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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

Yuva

To

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