



WEB COPY



W.P.No.6343 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.03.2024

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THE HONOURABLE MR. JUSTICE P.VELMURUGAN

**W.P.No.6343 of 2024 and
W.M.P.No.7063 of 2024**

S.Shakila Banu

... Petitioner

Versus

1. The District Collector
Coimbatore.
2. The Tahsildar
Udumalaipettai
Court Rd, Kuttai Thidal,
Udumalaipettai, Tamil Nadu 642 126
3. The Divisional Engineer,
National Highways
Park Gate Rd, ATT Colony,
Gopalapuram,
4. Coimbatore – 641018.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents not to interfere with the peaceful possession due process of law and enjoyment of the petitioner property in Survey Nos.1 to 12, 18 to 24 and 27/1A, in Ward E, Block



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5 measuring an extent of 810 sq.mts. Situated at Kanakkampalayam Village, Dhali Road, Udumalaipettai Town and Taluk Tiruppur.

For Petitioner : R.Sripriya

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents not to interfere with the peaceful possession and enjoyment of the property in Survey Nos.1 to 12, 18 to 24 and 27/1A, in Ward E, Block 5 measuring an extent of 810 sq.mts. Situated at Kanakkampalayam Village, Dhali Road, Udumalaipettai Town and Taluk Tiruppur, by the writ petitioner.

2 According to learned counsel appearing for the petitioner, the petitioner owned properties in S.Nos.1 to 12, 18 to 24 and 27/1A in Kanakkampalayam Village, Dhali Road, Udumalaipettai Town and Taluk, Tiruppur. The petitioner's properties were acquired twice for widening the Udumalpet to Munnar Highways, in the year 2010 and 2016. Now the petitioner apprehends that the respondents are trying to acquire some more lands without any notification. Further the learned counsel stated that the



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petitioner has no objection for further acquisition, if any, but the same would be only under due process of law and hence the petitioner filed the present writ petition seeking to direct the respondents to cause notice to the petitioner, if they are going to acquire any further lands of the petitioner.

3 When the matter called in the morning, the learned Additional Government Pleader sought to time to get instructions from the respondent with regard to the apprehension of the petitioner and when the matter called at 4.30 p.m. the learned Additional Government Pleader for the respondents, after obtaining written communication from the District Collector, Tiruppur, submitted that it is true that the petitioner's lands were acquired twice and compensation also paid. But, now there is no new proposal for acquisition of any lands owned by the petitioner.

4 In view of the above submissions made by the learned Additional Government Pleader and recording the written communication of the District Collector, Tiruppur, dated 11.03.2024, where it is stated that there is no new proposal for acquisition of any lands owned by the writ petitioner, this writ petition is disposed of with a directions to the respondents not to acquire any lands of the petitioner without any notice and, if any new proposal is made, the



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acquisition shall be done only under due process of law. Consequently

connected miscellaneous petition is closed. No costs.

11.03.2024

Index: Yes/No

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P.VELMURUGAN, J.,

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