



W.P.No.19794 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

W.P.No.19794 of 2024

and

**W.M.P. Nos.21676, 21677 and 21678 of 2024
in W.P.No.19794 of 2024**

- 1.T.Suseela
- 2.R.Lakshmi
- 3.K.Chandrasekaran
- 4.K.Rajendran

... Petitioners

Vs.

- 1.The State of Tamil Nadu
rep. By Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Chennai – 9.
- 2.The Special District Revenue Officer (LA),
Chennai Peripheral Ring Road Project,
Opposite to Ambattur Estate Bus Terminus,
Chennai – 58.
- 3.The Special Tahsildar (LA) Unit 3
Chennai Peripheral Ring Road Project,
Thiruvallur – 602 001.



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4.The District Collector,
Thiruvallur District,
Thiruvallur Collectorate,
Thiruvallur – 602 001.

5.The District Revenue Officer,
Thiruvallur District,
Thiruvallur Collectorate,
Thiruvallur – 602 001.

6.The Revenue Divisional Officer,
Thiruvallur Revenue Division,
Thiruvallur Collectorate,
Thiruvallur – 602 001.

7.The Tahsildar,
Thiruvallur Taluk,
Thiruvallur Collectorate,
Thiruvallur – 602 001.

... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent and quash the impugned notice dated 26.02.2024 of the third respondent issued in the name of Usharani affixed at the petitioners' property a ultra vires, arbitrary, unconstitutional, illegal, invalid and against all principle of law and natural justice and consequently direct the second and third respondents to acquire the petitioners' property namely site measuring 1700 square meters with superstructure and trees thereon situate in Gramanatham S.No.220/21, Old S.No.220/2 Part of Velliyur B Village, Vaigasi Kandigai, Thiruvallur Taluk, Thiruvallur District subject to determination and payment of fair and proper compensation



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for the site, building and trees thereon to the petitioners in accordance with law.

For Petitioners : Mr.N.R.Anantha Rama Krishnan

For Respondents : Mr.P.Balathandayutham,
Spl. Govt. Pleader

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

When the matter was taken up, Mr.N.R.Anantha Rama Krishnan, learned counsel on record for writ petitioners in captioned 'Writ Petition' (hereinafter 'WP' for the sake of brevity) was before us in the Admission Board.

2. A 'notice dated 26.02.2024 issued by R3 (Special Tahsildar (LA) Unit 3, Chennai Peripheral Ring Road Project, Thiruvallur)' [hereinafter 'impugned notice' for the sake of brevity] is addressed to Ms.Usharani but she has not been made a party to the captioned WP. To be noted, Ms.Usharani is neither a co-petitioner (there are four writ petitioners) nor has she been arrayed as one of the respondents.



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3. When this was pointed out, learned counsel submitted that Ms.Usharani is spouse of petitioner no.3 (Chandrasekaran).

4. As the impugned notice is addressed to Ms.Usharani it is imperative that she is made a party.

5. Faced with the above situation, learned counsel sought leave of this Court to withdraw the captioned WP and made a fervent plea to preserve all the rights and contentions of the writ petitioners as well as any one else concerned to come up with a similar/same prayer on the same cause of action and/or seek any other remedy available in law *dehors* withdrawal of captioned WP. This request is acceded to.

6. Learned counsel for writ petitioners has made endorsements in the case file and scanned reproduction of the endorsements are as follows:



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The Petitioners pray to withdraw
the WP and WMPs with
reserving right to file fresh WP
and WMPs on the same cause
of action arraying "Nisha Rani"
also as a Petitioner along with
other existing Petitioners
dealing similar amongst other
reliefs.

[Signature]
Cand. Petitioner
23/7/2024.

In view of the endorsement
made in the main WP
the Petitioners seek for
withdrawal of WMP
21676 of 2024 also
for stay order in the
same cause.
[Signature]
23/7/24



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In view of the endorsement
made in the main writ
the petitioner seeks for
withdrawal of WMP for
21677/2024 also for
by fresh on the
same cause of action
[Signature]
23/6/2024

In view of the
endorsement made in
the main writ
the petitioner seeks
for withdrawal of
WMP 21678/2024
also for by fresh
on same cause of action.
[Signature]
24/6/2024



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7. Though obvious we make it clear that we have not expressed any view or opinion on the merits of the matter and any fresh writ petition or any other proceedings will be dealt with on its own merits and in accordance with law.

8. In the light of the narrative thus far, captioned WP and captioned three WMPs thereat are disposed of as closed/withdrawn albeit with preservation of rights in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (K.G.T.,J.)
23.07.2024

Index : Yes / No
Neutral Citation : Yes / No
mmi

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**M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,**
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