



W.P.No.13027 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.12.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 13027 of 2024

&

W.M.P.Nos. 14185 & 14187 of 2024

K.Murugesan

...Petitioner

Vs.

1.The District Collector
Chengalpattu District.

2.The Special District Revenue Officer (Administration)
High Way Department, Greater Chennai,
Alandur, Chennai-600 016

3.Special District Revenue Officer
Chennai-Kanyakumari,
Industrial Project,
Kancheepuram,
Tamil Nadu.

4.Assistant Divisional Engineer (High Way Department)
Chennai Greater Corporation Development Scheme,
Sub - Division-3,
Chennai-16.

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus calling for the records of the 4th respondent issued the notice bearing under section 28(2) (ii) of Tamil Nadu Highway Act 2001, dated 08.04.2024 and quash the same and consequentially direct the respondents to consider the representation dated 06.04.2024 and received by respondent on 08.04.2024 and review and disburse the compensation amount to the petitioner.

For Petitioner : Mr. G.Ilamurugu

For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

The petitioner is before this Court challenging the impugned notice issued under Section 28 (2) (ii) of the Tamil Nadu Highways Act 2001, alleging that the procedure contemplated under the Tamil Nadu Highways Act, had not been followed. Further, though the lands proposed to be acquired as per the notice dated 27.09.2017 under Section 19 (2), measures an extent of 31 sq.mts., however, the petitioner has been informed that 41 sq.mts., would be acquired and the



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impugned notice is now in furtherance of the above.

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2. Heard the learned counsels on the either side and perused the records.

3. The writ petition is disposed of with a direction to the 3rd and 4th respondents that they shall at the outset measure 31 sq.mts., for which acquisition proceedings have been initiated and only after marking the same shall proceed with further acquisition proceedings. They shall not acquire and take possession an inch beyond 31 sq.mts., in the petitioner's land, which is the subject matter of the notice dated 27.09.2017. Consequently, the connected miscellaneous petitions are closed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

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