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W.P.No.22320 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.08.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22320 of 2024 and
W.M.P.Nos.24303 and 24304 of 2024

M.Marimuthu

...Petitioner

Vs.

1.The District Collector
Namakkal District
District Collectorate
Namakkal.

2.The Chief Engineer
Highways Department
NABARD and Rural Roads
Integrated Chief Engineer's Office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai-25.

3. The Chief Engineer's
Chennai-Kanyakumari Industrial Corridor Project,
CKICP Complex, HRS campus,
76, Sardar Patel Road, Guindy, Chennai-25.

4.The Special District Revenue Officer (L.A)
Tamil Nadu Road Development Project-II
2nd Floor, SIDCO Garment Complex,
Nagireddi Thottam, Guindy, Chennai-32



W.P.No.22320 of 2023.

5.The Special Tahsildar(L.A)
Chennai-Kanyakumari Development Project,
Tiruchengode, Namakkal district

6.The Divisional Engineer
Highways Department
Nabard and Rural roads
Opp. To Government Depot
Ashtampatty, Salem.

7. The Assistant Divisional Engineer's
Highways Department,
Nabard and Rural roads, Tiruchengode.

8. The Revenue Divisional Officer
Tiruchengode Division,
Velur road, Tiruchengode.

9. The Tahsildar,
Tiruchengode Taluk,
Taluk Office, Tiruchengode.
Namakkal District.

10. The Village Administrative Officer,
Andipalayam Village, Tiruchengode Taluk,
Namakkal District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the acquisition proceedings dated 08.12.2023 issued by the 4th respondent in Roc.No.R2/1076/2023 published in Tamil and English daily newspapers namely Dhinakaran and Indian Express on 23.12.2023 and quash the same with respect to the petitioners land measuring an extent of 0.02.17



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Hectare comprised in Survey No.15/1A2B of Andipalayam Village, Tiruchengode Taluk, Namakkal District and further to direct the respondents 3 to 7 to shift the round tana 15m away neither on the northern side nor on the eastern side from the proposed construction in petitioner's land or any other suitable land which may be identified for the said purpose by considering the representation dated 24.06.2024.

For Petitioner : Mr.T.L.Thirumalaisamy
For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

This writ petition is filed challenging the 15(2) notice issued under Tamil Nadu Highways Act for acquiring the lands of the petitioner for Tiruchengode Bypass Project.

2. According to the petitioner, the proposed roundtana in bypass road would affect the dwelling house of the petitioner and therefore, he made an objection to the 15(2) notice by submitting his representation dated 24.06.2024 and the same has not been considered till date.

3. Mr.P.Sathish, learned Additional Government Pleader takes notice for all the respondents submitted that the objection of the petitioner will be considered in accordance with law.



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4. In view of the assertion made by the petitioner that proposed roundtana would cause inconvenience to his house and availability of vacant land in the nearby plot, the 5th respondent is directed to consider the objection of the petitioner dated 24.06.2024 sympathetically and pass necessary orders on merits within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

07.08.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1.The District Collector
Namakkal District
District Collectorate
Namakkal.

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W.P.No.22320 of 2021.

- 2.The Chief Engineer
Highways Department
NABARD and Rural Roads
Integrated Chief Engineer's Office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai-25.
3. The Chief Engineer's
Chennai-Kanyakumari Industrial Corridor Project,
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9. The Tahsildar,
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Taluk Office, Tiruchengode.
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