



WEB COPY



W.P.No.25703 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25703 of 2024
and W.M.P.Nos.28090 and 28091 of 2024

W.Anand

... Petitioner

vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Highways Department,
Fort St.George, Chennai.

2.The District Collector,
Chengalpattu District.

3.The District Collector,
Kanchipuram District.

4.Deputy Collector Land (Land Acquisition),
Metropolitan Division,
Alandur Chennai – 16.

5.The Special District Revenue Officer (Land Acquisition),
Highways Department, Metropolitan Division,
Alandur Chennai – 16.

6.The Special District Revenue Officer (Land Acquisition),
Highways Department, Guindy Chennai – 32. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to only acquire the extent of 58 Sq.M of land as specified in order



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Na.Ka.130/2007/A1 dated 07.01.2021 issued by the 4th Respondent in respect of the property belonging to the Petitioner being Door No. 2/154, East Coast Road, Injambakkam, Chennai-600115, Injambakkam Village, Saidapet Sub-District, then Chengalpattu District and present Kancheepuram District bearing Survey No.164/13-C, re-survey No.164/106.

For Petitioner : Mr.Sivanandaraaj
Senior Advocate
for M/s.Advaith.R

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

The petitioner herein seeks a direction to the 1st respondent to acquire his land in Survey No.164/106B situated in East Coast Road, Injambakkam, Chennai-600115 as per the proceedings of the 5th respondent in Na.Ka.No.130/2007/A1, dated 07.01.2021.

2. It is the case of the petitioner that 5th respondent issued notification under Tamil Nadu Highways Act for acquisition of 58 sq., meters of his land in Survey No.164/106B. However, now they are attempting to take possession of more extent than the one covered by the notification. Therefore, the writ petition is filed seeking a direction to the respondents to



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act as per the notification issued by them.

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3. The learned Government Advocate, who is taking notice for the respondents, on written instructions, would submit that 15(2) notification was issued under Tamil Nadu State Highways Act on 14.09.2010 for acquisition of 58 sq.meters of land situated in Survey No.164/106B and the respondents would take possession of the property covered under the notification and there is no proposal to take possession of any land of the petitioner not covered by the notification. The said statement made by the learned Government Advocate based on the written instructions is recorded.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected writ miscellaneous petitions are closed.

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Index : Yes/No
Speaking order:Yes/No
Neutral Citation:Yes/No
dm



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To

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S.SOUNTHAR, J.

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