



WEB COPY



W.P.No.27888 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.27888 of 2018

and

W.M.P.Nos.32433 and 32440 of 2018

1.J.Prabhu

2.J.Pratheep

... Petitioners

Versus

1.The Secretary to Government of
Tamil Nadu Housing and Urban Development,
Secretariat, Fort.St.George, Chennai.

2.The District Collector,
Chennai Collector Office, Chennai.

3.The Special Deputy Collector,
Land Acquisition Cell,
Chennai Metropolitan Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

4.The Tahsildar,
Ponneri Taluk Office, Ponneri – 601 204.

5.The Chairman,
Tamil Nadu Slum Clearance Board,
Chepauk, Chennai – 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution



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of India praying for issuance of Writ of Declaration declaring that the Acquisition initiated under Land Acquisition Act 1894 is lapsed under Section 24(2) of “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 insofar as the petitioner's Land in Survey No.356/9 measuring about Acre 0.65 cents, No.148, Edayanchavadi Village, Ponneri Taluk, Tiruvallur District is null and void and consequently permitted the petitioner to retain the possession of the said property.

For Petitioners : No Appearance

For Respondents : Mr. P. Gurunathan (for R1, R2, R4 and R5)
Additional Government Pleader

: Mr. V. Sudalai Selvan (for R3)
Standing Counsel for CMDA

: Mrs. K. Indumathy Venkatesan (for R5)
Standing Counsel for TNSCB

ORDER

When the matter came up for hearing on 20.12.2023, there was no representation for the petitioner and the matter was directed to be listed after two weeks. Thereafter, the matter was listed on 03.01.2024. Again, there was no representation for the petitioner and this Court directed the Registry to list the matter under the caption “for dismissal” on 11.01.2024.



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2. Today, when the matter is taken up for hearing, there was no representation on behalf of the petitioner, though the matter is listed under the caption “for dismissal”. Despite giving sufficient opportunity, the petitioner has not appeared before this Court and is not interested to prosecute the writ petition. Therefore, the Writ Petition is dismissed for non-prosecution. No costs. Consequently, the connected miscellaneous petitions are also closed.

3. In case, the petitioner filed a restoration petition, he shall pay a sum of Rs.1 Lakh to the credit of The Chief Justice Relief Fund. Unless the said amount is paid, the Registry shall not taken the petition on file.

11.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

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P. VELMURUGAN, J.

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