



**W.P(MD)No.4887 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 04.03.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.4887 of 2024**  
**and**  
**W.M.P(MD)No.4700 of 2024**

M.Rajendran

... Petitioner

Vs.

- 1.The Secretary to Government,  
Highways Department,  
St.George Fort, Chennai.
- 2.The Chief Engineer,  
Highways Department,  
Chief Engineer's Office,  
HRS Campus,  
76, Sardar Patel Road,  
Guindy, Chennai.
- 3.The District Collector,  
Tirunelveli District.
- 4.The District Revenue Officer,  
Tirunelveli, Tirunelveli District.
- 5.The Superintendent Engineer,  
Highways Department,



W.P(MD)No.4887 of 2024

WEB COPY

Palayamkottai,  
Tirunelveli District.

6.The Divisional Engineer,  
Highways Department,  
Palayamkottai,  
Tirunelveli District.

7.The Special Tahsildar (Land Acquisition),  
Land Acquisition and Administration,  
O/o.1<sup>st</sup> Floor, Assistant Divisional Engineer Office  
(Highways), AR Line Road,  
Palayamkottai,  
Tirunelveli District.

8.Sami

***(R.8 is suo motu impleaded vide  
order of this Court dated 04.03.2024)***

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents to lay the road at the petitioner's property in Survey No. 55/2 to the total extent of 1.05 acres situated at Kallidaikurichi North Village, Ambasamudram Taluk, Tirunelveli District without following due process of law.

For Petitioner : Mr.A.Sankararamasubramanian

For Respondents : Mr.M.Lingadurai  
Special Government Pleader  
for R.1 to R.7

Mr.D.Saravanan for R.8



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W.P(MD)No.4887 of 2024

## **ORDER**

Heard both sides.

2.The prayer in the writ petition is not maintainable for more than one reason. It has been convincingly demonstrated before me by the learned Special Government Pleader that the acquisition notification was already issued and it has become final also. This aspect of the matter was captured vide order dated 11.07.2022 in W.P(MD)No.12681 of 2012.

Paragraphs 3 and 4 of the said order read as follows:

*“3. Admittedly, in the present case, a notification was issued for acquisition of land under Section 15(2) on 22.09.2014. The petitioners and other land owners were requested to submit their objections. Thereafter, after hearing the objections, the notification for acquisition of land was passed under Section 15(1) on 02.03.2016. According to the learned Counsel for the respondents, an award has been passed on 31.12.2001 and the acquired land has also been handed over to the highways on 31.03.2022.*



**W.P(MD)No.4887 of 2024**

4. The present writ petition has been filed in the year 2012, before a notification was issued under Section 15(2) of the Tamil Nadu Highway Act, 2001, under the presumption that the lands are likely to be acquired. Thereafter, actual acquisition proceedings have been followed and the lands of the petitioners have been acquired, an award has also been passed. The said acquisition proceedings or the award have not been challenged. Hence, nothing survives in the present writ petition. However, if the petitioner is aggrieved by the award, he is entitled to challenge the same in a manner known to law, with regard to the quantum of compensation.”

The petitioner herein was the petitioner No.1 in the said writ petition. Therefore, I am not in a position to consider the plea made by the learned counsel appearing for the petitioner.

3.This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**04.03.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
MGA

To

1.The Secretary to Government,  
Highways Department,

4/6



**W.P(MD)No.4887 of 2024**

St.George Fort,  
Chennai.

WEB COPY

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- 5.The Superintendent Engineer,  
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Palayamkottai,  
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- 6.The Divisional Engineer,  
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- 7.The Special Tahsildar (Land Acquisition),  
Land Acquisition and Administration,  
O/o.1<sup>st</sup> Floor, Assistant Divisional Engineer Office  
(Highways), AR Line Road,  
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**G.R.SWAMINATHAN, J.**

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