



W.P(MD)No.18269 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18269 of 2024

and

W.M.P.(MD)Nos.15553, 15551 & 15554 of 2024

G.Jeyaraj

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Madurai District,
Madurai.

2.The Land Acquisition Officer/Special District Revenue Officer,
Land Acquisition and Management,
Madurai.

3.The Divisional Engineer,
Tamil Nadu State Highways Department,
(construction and maintenance)
Madurai-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notification of the 2nd respondent herein in Column 11 of the paper publication dated 24.07.2024 in Dinamalar in his proceedings in Na.Ka.No.155/2023/SH-1 dated 19.07.2024 with respect to Jeeva Samathi and quash the same as illegal and further directing the 2 and 3 respondents herein to



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consider the petitioners representation dated 03.01.2024 and 26.07.2024 and pass appropriate orders to formulate new road alignment for the proposed abandoned NH-SHU 73 road formation by safe guarding Sri Sannasi Swamy Temple (Jeeva Samathi) in T.S.No.1 to an extent of 0.0960.0 sq.mt and T.S.No. 2 to an extent of 0.0980.0 sq.mt in Block No.1 in Ward No.10 in Panagal Road and Tiruvengadapuram in Tallakulam in Madurai within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General assisted by the learned Special Government Pleader for the respondents.

2. The petitioner has challenged the impugned notification issued under Section 15(2) of the Tamil Nadu Highways Act. According to the petitioner, if the impugned acquisition notification is not interfered with, the petition mentioned Jeeva Samthi will be affected. In matters relating to acquisition of any infrastructural project, the role of the Court is highly limited.



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3. The learned Additional Advocate General informs the Court that enquiry is proposed to be held on 23.08.2024. It is for the petitioner to offer his suggestion as to how the project can be successfully implemented without compromising the safety aspects and without endangering Jeeva Samthi. It is for the authority concerned to take a call in the matter.

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

01.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

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