



WP.Nos.15756 & 15764
of 2024

In the High Court of Judicature at Madras

Dated : 04.2.2025

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Writ Petition Nos.15756 & 15764 of 2024 &
WMP.Nos.17166, 17167, 40966 & 40968 of 2024

M/s.Amsak Cranes Pvt. Ltd.,
rep.by its Managing Director
S.Arumugam

...Petitioner in
both WPs

Vs

1.The Union of India, rep.by its
Secretary to Government,
Ministry of Road Transport &
Highways, Transport Bhawan,
Parliament Street, New Delhi-1.

...R1 in WP.No.
15764 of 2024

2.The Competent Authority &
Special District Revenue
Officer, Kancheepuram
District, Chennai.

3.The Project Director, Project
Implementation Unit,
Kancheepuram, No.716,
Govindarajan Street,
Tambaram West, Kancheepuram.
600045.

4.The Regional Officer, National
Highways Authority of India,
Chennai.

...R1 to R3 in
WP.No.15756 of
2024 & R2 to R4
in WP.No.15764
of 2024



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PETITIONS under Article 226 of The Constitution of India praying
for the issuance of

(i) a Writ of Certiorarified Mandamus to call for the records of
the 2nd respondent order NHAI/11022/239/2024/PIU. Kanchee/0988
dated 03.5.2024, quash the same and consequently direct the 2nd
respondent to rent/lease out the said land to the petitioner
(WP.No.15756 of 2024); and

(ii) a Writ of Declaration to declare the acquisition in Notification
in S.O.NO.4011 E dated 13.12.2016 as null and void as the expansion
of NH4 between Chennai to Bangalore has been given up/abandoned.
Hence, the National Highway Act will cease to apply. As a
consequence, direct the respondents to re-convey the land acquired as
there can be no deprivation of property except for public purpose,
which has failed in this case (WP.No.15764 of 2024).

For Petitioner in
both WPs : Ms.Preethi Arasu

For R1 & R2 in WP.No.
15756 of 2024 & R2 & R3
in WP.No.15764 of 2024: Mr.M.R.Gokul Krishnan, AGP

For R3 in WP.No.15756
of 2024 & R4 in WP.No.
15764 of 2024 : Ms.S.R.Sumathy

For R1 in WP.No.15764
of 2024 : Mr.D.Simon, CGSC



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COMMON ORDER

These writ petitions have been filed challenging the acquisition proceedings carried out by the National Highways Authority of India.

2. Heard the learned counsel on either side.

3. When the matters came up for hearing on 17.12.2024, the following order was passed by this Court :

"The petitioner shall file an affidavit stating that six months from today, they will vacate and handover possession of the property to the respondents and if by then (i.e on 17.06.2025), they do not vacate the property, then the respondents can forcibly vacate them and they shall not contest the same.

2. For filing affidavit, post on 20.12.2024."

4. Pursuant to the above order, an undertaking affidavit dated 20.12.2024 has been filed by the petitioner, the relevant portions of which are extracted as hereunder :

".....

4. The matter came up for hearing on 17.12.2024. The learned counsel for the respondents submitted that the project for expansion of NH-4 has not been abandoned/



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stalled. It has been temporarily paused due to certain contractual disputes. In the light of the same, this Hon'ble Court directed the petitioner to vacate and hand over the possession to the respondents.

5. Therefore, the petitioner hereby undertakes to vacate the premises within six months from 17.12.2024 and hand over possession to the respondents.

Hence, it is humbly submitted that this Hon'ble Court may be pleased to take this affidavit on record and pass such further or other orders as this Hon'ble Court may deem fit in the facts and circumstances of the case and thus render justice."

5. This Court records the undertaking given by the petitioner and makes it clear that the petitioner shall abide by the said undertaking and vacate the premises within six months from 17.12.2024 and hand over possession to the respondents.

6. These writ petitions are accordingly disposed of. No costs. Consequently, the connected WMPs are closed. **Post these writ petitions on 17.6.2025 under the caption 'for reporting compliance'.**

04.2.2025



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To

- 1.The Secretary to Union of India,
Ministry of Road Transport &
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- 2.The Competent Authority &
Special District Revenue
Officer, Kancheepuram
District, Chennai.
- 3.The Project Director, Project
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Highways Authority of India,
Chennai.

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N.ANAND VENKATESH,J

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