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WP No. 18608 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-05-2025

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THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN

WP No. 18608 of 2025

AND

WMP No. 20862, 20863 & 20864 of 2025

V.Sarojammal

Petitioner

Vs

1. The Divisional Engineer Highways,
Scheme Division, Vellore -632 006.

2. The Assistant Engineer-Highways,
Schemes Section-3, Vellore -632 006.

3. The Assistant Divisional Engineer-Highways,
Schemes Sub Division-2, Vellore -632 006.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus to call for the records in Notice bearing Ref. Number 37/2012/EVA/Dated 07.05.2025, issued by The Assistant Divisional Engineer-Highways, Schemes Sub Division-2, Vellore-6, the 3rd respondent herein and quash the same as unlawful, arbitrary and unconstitutional and consequentially direct the respondents not to interfere with the Petitioners peaceful possession and enjoyment of the property comprised in Sy.No. 82A/9 situated at Bazaar Street, Anvarthikkanpettai, R.S. Village,



Anvarthikkanpettai, Arakonam Taluk, Ranipet District, which is not the subject matter of acquisition.

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For Petitioner : Mr.M.Himavanth

For Respondents : Ms.R.Anitha,
Special Government Pleader

ORDER

The petitioner's husband, one Venkatesan purchased the property situated in S.No.82A/9 at Anvarthikkanpettai, Arakonam Taluk, Ranipet District on 01.06.2012. The purchase was to an extent of 680 sq. ft. corresponding to 63.17 sq. mts. Venkatesan passed away on 06.05.2021 leaving behind the petitioner and their children to succeed to their estate.

2. S.No.82A/9 was a subject matter of acquisition to an extent of 53 sq. mts. out of 394 sq. mts. The petitioner also received a compensation for 48 sq. mts. A sale deed was taken by the respondents for the remaining extent in document No.398/2024 on 23.01.2024. It is not in dispute that the extent, which has been acquired, has been taken possession of.

3. The cause of action for the present writ petition is that a notice was issued to the writ petitioner calling upon her to surrender the entire area under



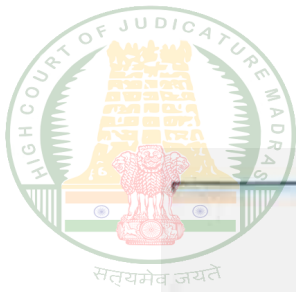
her. Aggrieved by the same, the present writ petition.

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4. When the matter came up for hearing, Ms.R.Anitha, learned Special Government Pleader appearing for the respondents states that she has been instructed by the Divisional Engineer (Highways), Projects Division, Vellore on 15.05.2025 to the effect that the Highways Department will not demolish nor has it demolished the building in the land, which has not been acquired by the Department. She states that in case, the Highways Department requires the land, they will acquire it in accordance with law.

5. The impugned order though states that the petitioner's entire extent would be taken, Ms.R.Anitha states that it has to be viewed that the entire extent acquired by Highways Department alone will be taken possession of.

6. The instructions given by the Highways Department is scanned and extracted herein:



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HIGHWAYS DEPARTMENT

From:
Er. T.S. Sundar, M.E.,
Divisional Engineer (H),
Projects Division,
Vellore.

To
The Government Pleader,
Law Officer's Block,
High Court,
Chennai.

Letter No: Court case/LC No.37/2025/DO/Dated :15.05.2025

Sir,

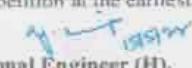
Sub:	Vellore Projects Division -18608 of 2025 - "Construction of ROB at Km.7/6 of Keelvithi - Ameerpet Road in lieu of existing LC No.37 at Railway Km.80/6-8 near Anvarthiganpet Railway Station" - Disposing of the writ petition - Requested - Regarding.
Ref:	Writ petition No18608 of 2025 was filed by Thirumathi.V. Sarojammal W/O Mr. Venkatesan, Chennai in Hon'ble Madras High court, Chennai on 15.05.2025.

I wish to inform that the Writ Petition No.18608 of 2025 was filed by Thirumathi.V. Sarojammal W/O Mr. Venkatesan, Chennai in Hon'ble Madras High Court, Chennai on 15.05.2025, upon stopping Demolition of Building for the work of "Construction of ROB at Km.7/6 of Keelvithi - Ameerpet Road in lieu of existing LC No.37 at Railway Km.80/6-8 near Anvarthiganpet Railway Station".

In respect of land Acquisition process, Private Negotiation Award was passed on 27.10.2023 by District Collector, Ranipet for 36 Survey Nos. (8000 Sqm). After that Award passed as per Act for balance 11 Survey Nos. (2479 sqm) on 28.06.2024 by Special District Revenue Officer, Vellore. And also The Land Possession was issued by the Tahsildar, Nemili to the Divisional Engineer (H), Projects Division, Vellore on 13.08.2024.

The Petitioner's land has been awarded under Private Negotiation (For Survey No.82A/9 - 213 sqm) and the same was Registered to Highways Department on 23.01.2024 at Sub Register Office, Arakkonam by the petitioner with respect to 53 sq.m. The Building has been demolished in concurrence with the petitioner with respect to the area of the land acquired only and not the entire building (photos Enclosed). It is submitted that this office had not demolished or will not demolish the building in the land which is not acquired with accordance law.

The above writ petition No 18608 of 2025 listed for hearing on 16.05.2025. Hence, I request that necessary action may please be taken and dispose the writ petition at the earliest.

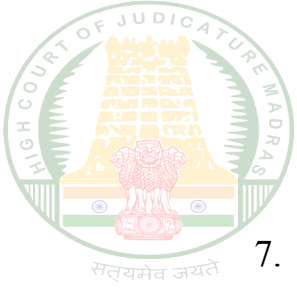

Divisional Engineer (H),
Projects Division, Vellore-6

Copy submitted to:

1. The Chief Engineer (H), Projects, Chennai, for the favour of kind information.
2. The Superintending Engineer (H), Projects Circle, Chennai, for the favour of kind information.

Copy to the Assistant Divisional Engineer (H), Projects Sub Division-2, Vellore for the follow up action.





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7. As the grievance of the petitioner has been addressed, suffice it to record the instructions of the Highways Department.

8. The Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petitions are closed.

16-05-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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- 1.The Divisional Engineer Highways,
Scheme Division, Vellore -632 006.
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Schemes Section-3, Vellore -632 006.
- 3.The Assistant Divisional Engineer-Highways,
Schemes Sub Division-2, Vellore -632 006.



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WP No. 18608 of 2



V.LAKSHMINARAYANAN J.

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**WP No. 18608 of 2025 and
WMP Nos. 20862, 20863 & 20864 of 2025**



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WP No. 18608 of 2



16-05-2025