



W.P.No.25933 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.11.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.25933 of 2023

G.EZHILARASAN

..Petitioner

Vs.

- 1 THE PRINCIPAL SECRETARY
HOUSING AND URBAN DEVELOPMENT DEPARTMENT
FORT ST. GEORGE CHENNAI-600 009.
- 2 THE DISTRICT COLLECTOR
DISTRICT COLLECTORATE,
CHENNAI SINGARAVELAR MAALIGAI
RAJAJI SALAI, CHENNAI-600 001.
- 3 THE COMMISSIONER OF LAND ADMINISTRATION
THE LAND ADMINISTRATION COMMISSIONERATE
EZHILAGAM, CHEPAUK, CHENNAI- 600 005.
- 4 THE MEMBER SECRETARY
CHENNAI METROPOLITAN DEVELOPMENT AUTHORITY
THALAMUTHU NATARAJAN COMPLEX
GANDHI IRWIN ROAD, EGMORE, CHENNAI-600 008.
- 5 THE SPECIAL TAHSILDAR (LAND ACQUISITION)



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MASS RAPID TRANSIT SYSTEM
PHASE II EXTN. THIRUMAYILAI STATION
MYLAPORE, CHENNAI-600 004.

6 CHIEF ENGINEER

MTP (RAILWAYS) PERIYAR EVR SALAI
EGMORE, CHENNAI-600 008.

.Respondents

For Petitioner : Mr.M.Velmurugan

For Respondents 1 to 3 & 5 : Mrs.S.Indhu Bala
Additional Government Pleader

For Respondent-4 : Mr.V.Sudalai Selvam
Standing Counsel

For Respondent-6 : Mr.P.T.Ramkumar
Standing Counsel

Order

The case of the petitioner is that a property, comprised in Old. S.No.52/1, Town Survey No.34, in Adambakkam Village, having Door No.24/25, 4th street, Thillai Ganga Nagar, Nanganallur, Chennai, measuring an extent of 2640 sq.ft. along with a building in the ground floor and first floor with Asbestos Sheet, belongs to him; that out of the said property, a portion of the land, measuring an extent of 1082 sq.ft. was acquired by the respondents for the purpose of phase 2 extension of Velachery-St.Thomas

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Mount MRTS Train services and remaining portion of land, measuring 1558 sq.ft is left out; that it is the grievance of the petitioner that though a portion of land (1082 sq.ft.) is acquired, the balance land (1558 sq.ft.) is being utilized by MRTS for the purpose of putting construction materials, tents for their labourers etc. and hence, no single buyer is evincing interest to buy the remaining land; that though the petitioner decides to make use of the remaining land and any foundation work is carried on for the purpose of construction, since, there is a Pillar appurtenant to the petitioner's remaining portion of land, definitely, the Pillar will get affected, resulting in monetary loss to the Railway.

2. Therefore, the petitioner made representations to the respondents 5 and 6 requesting them to acquire the balance portion of land and to pay compensation, however, the same came to be rejected by the fourth respondent vide the impugned order dated 16.08.2023, stating that the land is not required.

3. This Court taking into consideration of the fact that due to acquisition of the petitioner's portion of land, the shape of the remaining portion of land got skewed and irregularly shaped, and adding fuel to the



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fire, balance land was also under occupation by MRTS for the purpose of putting construction materials, equipments, tents for their labourers etc., and coupled with the further fact that even if the petitioner put to use the remaining land and begins any foundation work for the purpose of construction, certainly, the Pillar, which appurtenant to the petitioner's property would get affected, causing monetary loss to the Railway, keeping in mind, all such scenario in mind, has once again, directed the respondents 5 and 6 to find out feasibility as to whether the petitioner's remaining portion of land could be acquired or not and to file a report in that regard.

4. Accordingly, learned Additional Government Pleader has produced a copy of the proceedings issued by the fifth respondent, bearing Na.Ka.No.A/16/2016, dated 18.11.2025, addressed to the Government Pleader Office, High Court, Madras before this Court, and stated that only the sixth respondent has to decide issue.

5. In the light of the aforesaid report filed by the fifth respondent dated 18.11.2025, this Court, though obvious of the fact that the representation made by the petitioner, requesting the respondents 5 and 6 to acquire the balance portion of law has already been negated vide the



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impugned order dated 16.08.2023, considering the pathetic plight of the petitioner, which is perennial in nature, as, he despite owns the remaining portion of land, is unable to relish the same, as no single buyer has evinced interest to purchase such portion owing to its skewed shape nor the petitioner is in a position to go with construction, as, any foundation is carried out, the same would cause damage to the Pillar, which is nearer to his land, and de hors the same, the said portion is continued to be utilized by the MRTS, as could be seen from the year wise photographs produced by the petitioner, is hereby, directs the sixth respondent to take a reasoned decision, in the matter, bearing in mind, all the aforesaid aspects pointed out by this Court and also in terms of the Tamil Nadu Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a period of eight weeks from the date of receipt of a copy of this order.

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To

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Krishnan Ramasamy,J.,

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