



Writ Petition No.29882 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.29882 of 2022

and

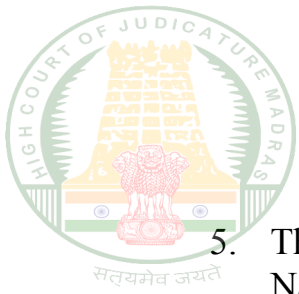
W.M.P.No.29267 of 2022

M.S.Mohamed Ansari
S/o.Mohamed Salim

... petitioner

Vs

1. The Government of India
Represented by Ministry of Road Transport and
Highways
New Delhi.
2. The District Collector
Chengalpattu District
Chengalpattu.
3. The Competent Authority and
Special District Revenue Officer (L.A)
National Highways
Mamallapuram Puducherry Corridor
Varadharajan Street
Vedachalam Nagar
Chengalpattu.
4. The Special Tahsildar (L.A)
Mamallapuram Puducherry Corridor
Varadharajan Street
Vedachalam Nagar
Chengalpattu.



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5. The Regional Officer
National Highways Authority of India
P.I.U. Chennai
Sri Tower, 3rd Floor
Developed Plots 34,
Industrial Estate, Guindy
Chennai-600 032.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari, calling for the records in pursuance of the notification issued by the 1st respondent in respect of the petitioner's lands under Section 3(A) of the National Highways Act, 1956 as amended by National Highways Laws Amendment Act, 1997 made in S.O.530 E dated 29.01.2019 in respect of Survey No.644/7A1 subdivided as 644/7A1B2 measuring 0.06 hectares and the declaration under sub-section (1) of Section 3D in S.O.761(E) dated 05.02.2019 in respect of Survey No.644/7A1 subdivided as 644/7A1B2 measuring 0.06 Hectares and declaration under sub-section(1) of Section 3D in S.O.2864(E) dated 29.07.2019 in respect of Survey No.644/5B1, measuring 0.0285 hectares and Survey No.644/5B3 measuring 0.0281 Hectares Mugaiyur Village, Cheyyur Taluk, Chengalpattu District and quash the same.

For Petitioner	:	Mr.M.S.Subramanian
For Respondents	:	Mr.A.Veeramani, for R1 Mr.P.Sathish Additional Government Pleader for R2 to R4 Mr.Su.Srinivasan, standing counsel, for R5



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ORDER

This writ petition has been filed challenging the notification issued by the 1st respondent under Section 3A of the National Highways Act, 1956 [said Act] in respect of Survey Nos.644/7A1, 644/5B1 and 644/5B3 and declaration made under sub-section(1) of Section 3D of the said Act dated 05.02.2019 and 29.07.2019.

2. When the matter came up for hearing on 18.03.2025, this Court passed the following order:

'When the matter was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of respondents 2 to 4 produced the proceedings of the District Collector, Chengalpattu.

2.On going through the same, it is seen that S.Nos.644/5B1, 644/5B3 and 644/7A1 have been restored in the name of the petitioner. Subsequently, patta has also been issued in the name of the petitioner. The copy of the same was furnished to the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the National Highways Authority of India.

3.The learned Standing Counsel appearing on behalf of National Highways Authority of India seeks for some time to take instructions.

4.Post this case under the caption 'Part Heard Cases' on 25.03.2025.'



3. When the matter was taken up for hearing today, the learned Special Government Pleader appearing on behalf of respondents 2 to 4 submitted that the patta has been restored in the name of the petitioner with respect to the properties in S.Nos.644/5B1, 644/5B3 and 644/7A1.

4. In reply to the above submission, the learned counsel for the petitioner submitted that it must be cleared by this Court that in the light of the stand taken by the respondent, the declaration that was made under sub-section(1) of Section 3D of the said Act must not be put against the petitioner and if at all, the lands are to be acquired, it can be done only by issuing a fresh notification.

5. In the light of the stand taken by the official respondents to the effect that the subject properties have been restored in the name of the petitioner and that the same is not required for the present, the patta shall stand restored in the name of the petitioner and the declaration made under sub-section(1) of Section 3D of the said Act will not be put against the petitioner and if at all, the lands are required, it will be acquired by issuing a fresh notification.



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This Writ Petition is disposed of in the above terms.

Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

25.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. The Government of India
Represented by Ministry of Road Transport and
Highways, New Delhi.
2. The District Collector
Chengalpattu District
Chengalpattu.
3. The Competent Authority and
Special District Revenue Officer (L.A)
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Mamallapuram Puducherry Corridor
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4. The Special Tahsildar (L.A)
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N.ANAND VENKATESH, J

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