

WP NO. 30148 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08-08-2025**

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP NO. 30148 of 2025 &

WMP.Nos.33814 and 33817 of 2025

Hariharan.K.L

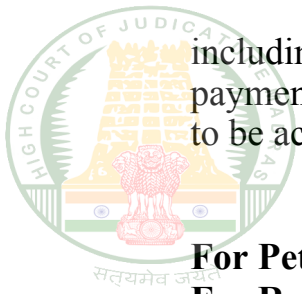
Petitioner(s)

Vs

1. The Special Tahsildar (land Acquisition II)
Zone IV, Highways Scheme, Thiruvallur District
2. The Special District Revenue Officer (land Acquisition II)
Office Of The Special DRO,
Tiruvallur At Ambattur,
Chennai 600 058
3. The Divisional Engineer Highways,
Chennai Metropolitan Development Scheme ,
Zone III, Chennai 6000 25
4. The Assistant Divisional Engineer Highways
Cheenani Metropolitan Development Scheme, Division IX
Chennai 600 025
5. Chennai Metro Rail Limited
Represented By Its Estate Officer / Deputy
Collector, Having Its Registered Officee At CMRL
Depot Admin Building, Poonamallee High Road,
Koyambedu, Chennai 600 107

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Certiorarified Mandamus to call for the records pertaining to the impugned order being the Eviction cum Demolition Notice dated 29.07.2025 issued by the respondent No.4 and quash the same and consequently direct the respondents 1 to 4 either to furnish a duly certified sketch clearly demarcating the precise extent and boundaries of the land sought to be acquired under the original proceedings, or in the alternative, to initiate and complete acquisition proceedings in accordance with law,



including issuance of notice, field demarcation and determination a payment of compensation in respect of any additional extent of land proposed to be acquired.



For Petitioner(s) : Mr.S. Mothilal

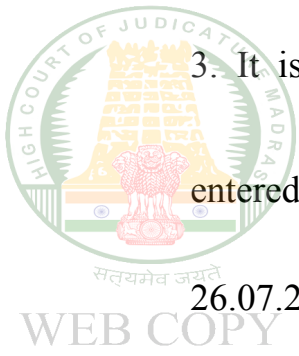
For Respondent(s): Mr.A.Selvendran, Spl. GP for R1 to R4

Mr.B.Vijay, Standing counsel for R5

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed for issuance of Writ Certiorarified Mandamus to call for the records pertaining to the impugned order of Eviction cum Demolition Notice dated 29.07.2025 issued by the respondent No.4 and quash the same and consequently direct the respondents 1 to 4 either to furnish a duly certified sketch clearly demarcating the precise extent and boundaries of the land sought to be acquired under the original proceedings, or in the alternative, to initiate and complete acquisition proceedings in accordance with law, including issuance of notice, field demarcation and determination and payment of compensation in respect of any additional extent of land proposed to be acquired.



3. It is submitted by the learned counsel for the petitioner that petition

entered into a Memorandum of Understanding with 5th respondent/CMRL on 26.07.2021 for leasing an extent of 65 sq.ft. 0.6 sq.m. of petitioner's land

comprised in S.No.22/1A1B, situated at Kattupakkam Village, Pooamalee Taluk, Tiruvallur District for the purpose of construction works of Metro Station and other project related activities till its completion. After completion of the said project, 5th respondent has vacated the premises. Thereafter, on 31.03.2025, the 2nd respondent passed an award in Award No.4 of 2025 for acquiring petitioner's land to measuring extent of 33 sq.mts out of 3.5 ares comprised in S.No.22/1/1A1B and arrived at a compensation in respect of 33 sq.mts only.

4. It is the grievance of the petitioner that while an award has been passed determining compensation in respect of 33 sq. mts, the sketch annexed with calculation sheet obtained from the 4th respondent indicates that an extent of 104 sq.mts is being acquired from petitioner's property on the premise that 33 sq.mts., had already been acquired and in addition, a further 71 sq.mts is now being acquired. Therefore, petitioner contends that such acquisition of 104 sq.mts is without following the due process of law and by unilaterally



increasing the extent of acquisition in violation of prescribed procedure a

hence, compensation ought to be fixed for the additional 71 sq.mts.

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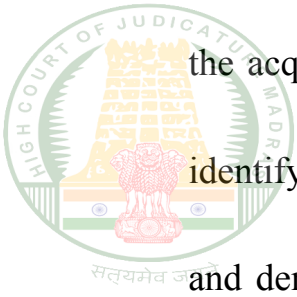
5. It is further submitted by the learned counsel for the petitioner that apart from the aforesaid lands acquired, petitioner owns 71 sq.mts under the same survey number, out of which, 65 sq.ft. has been given on lease to Chennai Metro Rail Limited.

6. In the circumstances, petitioner was served with an impugned eviction cum demolition notice dated 29.07.2025 from the 4th respondent directing petitioner to vacate the land measuring 33 sq.mts on or before 08.08.2025, failing which, the buildings thereon would be demolished on 09.08.2025

7. After submitting for a brief while, on instructions, it is submitted by the learned Special Govt. Pleader for respondents 1 to 4 that only 33 sq. mts. in respect of the property comprised in S.No.221/A1B have been acquired.

8. The learned Special Govt. Pleader, on instructions, further submitted that the impugned notice for eviction cum demolition is issued only for an extent of 33 sq.mts in the said property, which has already been acquired and in respect of which, an award has also been passed.

9. with regard to the issue raised by petitioner about proper identification of



the acquired property, the learned Special Govt. Pleader submitted that at

identifying the land acquired in the presence of petitioner, they would evict

and demolish only that portion of the acquired land, in respect of which, an

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award has already been passed and the same was agreed to by the learned counsel for the petitioner.

10. Recording the above submissions, the writ petition stands disposed of. It is made clear that this court has not made any view with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

08-08-2025

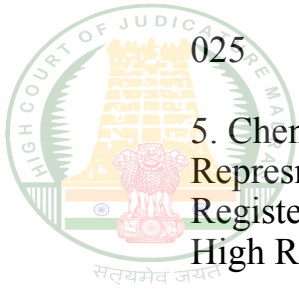
msr

Index:yes/no

Internet:yes/no

To

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Represented By Its Estate Officer / Deputy Collector, Having Its
Registered Office At CMRL Depot Admin Building, Poonamallee
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MOHAMMED SHAFFIQ, J.



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