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W.P.No.29758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.No.29758 of 2024
and
W.M.P.No.32431 of 2024**

1. A.R.Krishna Narayanan

2. A.R.Deepan Chakravarthy

... Petitioners

Vs.

1. The Secretary to Government of Tamil Nadu,
Highways Department,
Fort St.George,
Chennai - 600 009.

2. The District Collector,
GDT Road,
Chengalpattu - 603 001.

3. The Chief Engineer, (H) CMDP,
No.76, Sardar Pattel Road,
Guindy,
Chennai - 600 025.



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4. The Divisional Engineer (H) CMDP,
Division - I,
No.1, new Street, 1st Floor,
Super Bazaar Complex,
Alandur,
Chennai - 600 016.

5. The Special District Revenue Officer,
Land Acquisition,
Chennai - Kanyakumari Industrial Corridor Project,
District Collector Office,
Kanchipuram District,
Kanchipuram.

6. The Special Tahsildar,
Land Acquisition,
Office of the Tahsildar Tambaram,
Tambaram,
Chennai - 600 045.

7. The Assistant Divisional Engineer,
Sub Division - 3,
No.76, Sardar Pattel Road,
Guindy,
Chennai - 600 025.

8. The Tahsildar,
Office of the Tahsildar Tambaram,
Tambaram,
Chennai - 600 045.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the second respondent to dispose of the pending proceeding in O.MU.No.4486/2024/B1 dated 08.05.2024 pending with him based on the petitioners' representation dated 30.04.2024 and consequently direct the respondents not to proceed with any Land Acquisition Proceeding against the land situated at Kanchipuram District, Chengalpattu Taluk, No.10, Puthur Village, Perumalpuram Extension - I, Survey No.11/3A, bearing Plot No.1, measuring an extent of 3367 sq.ft and Plot No.2, measuring an extent of 2660 sq.ft, vide Patta No.1126, as per Patta Survey No.11/31, belongs to the first petitioner and Survey No.11/3A, bearing Plot Nos.3 & 8, measuring an extent of 4,750 sq.ft, vide Patta No.4438 as per patta Survey No.11/30, belongs to the second petitioner, without following due process of law contemplated under Article 300A of Indian Constitution, the Land Acquisition Act, 1894, the Requisitioning and Acquisition of Immovable Property Act, 1952 and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

For Petitioners : Mr.Elumalai

For Respondents : Mr.P.Sathish
Additional Government Pleader



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing second respondent to dispose of the pending proceedings in O.MU.No.4486/2024/B1 dated 08.05.2024 based on the representation of petitioners dated 30.04.2024 and consequently direct the respondents not to proceed with any Land Acquisition Proceedings without following due process of law.

2. Insofar as second part of prayer is concerned, learned Additional Government Pleader appearing for respondents would submit that, the acquisition is meant for highways under Tamil Nadu Highways Act, 2001 and they would proceed with the acquisition in accordance with the provisions of the Act. Insofar as representation dated 30.04.2024 is concerned, wherein it has been stated that the petitioners have suffered damages in view of high-handed conduct of the respondent authority in demolishing the compound wall and petitioners would request that they ought to be suitably compensated.



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3. At the outset, it was submitted by learned Additional Government Pleader for respondents that the representation dated 30.04.2024 made by petitioners would be considered and appropriate orders would be passed within a time frame to be fixed by this Court after affording an opportunity of hearing to petitioners and any other interested party, which was agreed to by the learned counsel for petitioners.

4. In this regard, it may also be relevant to note that in the counter affidavit, in paragraph No.7, it has been stated that the respondents will take all proper and necessary steps to acquire the lands including that of petitioners after following due process of law. The relevant portion is extracted hereunder:

"7. I submit that the Land Plan Schedule prepared by the 4th Respondent for acquiring the lands including that of the Petitioner was received by this Respondent on 02.08.2024, thereafter, this Respondent had sent recommendation to the 5th Respondent to issue Section 15(2) Notice as per the Tamil Nadu Highways Act. I state that this Respondent will take all proper and



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necessary to steps to acquire the lands including that of the Petitioner after following the due process of law."

5. In view of the above statement taken by respondents, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.07.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

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MOHAMMED SHAFFIQ, J.

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