



W.A.No.303 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.A.No.303 of 2025

and

C.M.P.No.2339 of 2025

1.P.Padmanaban

2.D.Geetha

3.D.Vijayaraj

4.D.Sivaraj

5.D.Mohanraj

6.A.Ponraja

7.A.Sivamurugaraja

8.A.Thangadurai



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9.Neelavathi

10.Kavitha

11.Karthik

... Appellants

Vs.

1.State of Tamil Nadu,
Rep. by Secretary To Government,
Highways and Minor Port Department,
Fort St. George, Chennai – 600 009.

2.The Special Deputy Collector (LA),
Tamil Nadu Urban Development Project,
Poonamallee, Chennai – 600 056.

3.The Chief Engineer (Metro),
Chennai Metropolitan Development Project,
Highways Department,
Alandur, Chennai – 600 016.

4.The Divisional Engineer, (Highways)
Chennai Metropolitan Development Project Division-1,
Guindy, Chennai – 600 032.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, pleased to set aside the common judgement dated 30.04.2024 passed in WP.No.16879 of 2013, on the file of the High Court.



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For Appellants : Mr.J.R.K.Bhavanantham
For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader

J U D G M E N T

[Judgment was delivered by **S.M.SUBRAMANIAM, J.**]

Under assail is the common judgment dated 30.04.2024 passed in a batch of writ petitions in W.P.No.16879 of 2013.

2. The land and building belonging to the writ petitioners have been acquired for road expansion project by the Tamil Nadu Highways Department. The project, to be implemented in Chennai City, involves the acquisition of land for widening roads and converting two-lane road into five-lane road to prevent future traffic congestion.

3. The Government assessed that if the existing two-lane road continued, it would be difficult to manage the traffic in future. Due to development of the Chennai Metro Rail (CMRL) and Mass Rapid Transit System (MRTS), there will be an increase in traffic from commuters. Therefore, the Vellalar Street (Karikalan Street) of Mount-Madipakkam Road is to be widened with four-lane road.



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5. The learned counsel for the appellants would submit that the State Highways Department had not issued any notification, and therefore, the proceedings are to be declared as void.

6. Section 15 of the Tamil Nadu Highways Act, 2001 states that the “If the Government are satisfied that any land is required for the purpose of any highway or for construction of bridges, culverts, causeways or other structures thereon or for any purpose incidental or ancillary thereto, in furtherance of the objects of this Act, they may acquire such land by publishing in the Tamil Nadu Government Gazette a notice specifying the description of such land and the particular purpose for which such land is required”.



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7. The appellants further contended that the alignment made on the eastern and western side was improper and that there was discrimination in designing the project. However, the road-widening projects were designed by a Committee of Experts based on research works. The Court cannot act as an expert body nor issue directions to the authorities to realign or modify the project. Such an exercise of powers would be beyond the scope of judicial review. Therefore the said contention deserves no merit consideration.

8. Regarding the validity of the acquisition proceedings, the Writ Court had elaborately considered and found no irregularity or otherwise. That being the so, we do not find any ground to interfere with the writ order impugned, which stands confirmed. Consequently, the Writ Appeal is dismissed. There shall be no order as to costs. The connected Miscellaneous Petition is closed.

[S.M.S., J.] [K.R.S., J.]
06.02.2025

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Index : Yes
Speaking order
Neutral Citation : Yes



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To

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