



WEB COPY



W.P.No.39208 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM

THE HON'BLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.39208 of 2025

Sanjay Ramaswami

...Petitioner

Vs.

1.The Member Secretary
Chennai Metropolitan Development Authority (CMDA)
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008

2.The Project Director,
National Highways Authority of India,
Chennai Region, CMRL Building,
Koyambedu, Chennai.
(R2 Suo Motu Impleaded vide order dated 24.10.2025
made in W.P.No.39208 of 2025 by VLNJ)

...Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus or any other appropriate writ or order direction in the nature of a Writ of Mandamus directing to the respondents to consider the petitioner's representation dated 28.08.2025 by correcting the land use and deleting the imaginary GNT by-pass road in S.No.178 and 181 of Lyon Pullion Village, Ponneri Taluk and dispose of the same within a time frame stipulated by this Court.

For Petitioner : Mr.Ramesh Venkatachalapathy
For Respondent : Mr.V.Sudalaiselvam
M/s.S.R.Sumathi (Standing counsel)

ORDER



W.P.No.39208 of 2025

The petitioner states that the following properties situated in

- WEB COPY
- i) Survey No.178/1 to an extent of 2.94 acres
 - ii) Survey No.177 to an extent of 1 acre and 1 cent
 - iii) Survey No.181/1 to an extent of 32 cents, of Lyon Pullion Village, Ponneri Taluk, Thiruvallur District, belonged to his father.

2.Out of natural love and affection, his father executed a settlement deed in his favour on 11.04.2016. The said document is registered as Document No.3555 of 2016 on the file of Sub Registrar, Sub Registrar Office, at Redhills. Pursuant to the settlement deed, the petitioner has been in possession and occupation of the entire land. The petitioner was informed by the 1st respondent that NHAI had been proposed to lay a road over S.Nos.178 and 181 and hence, the land use records have been mutated as such.

3.The petitioner pointed out that as early as 2004, the National Highways Authority of India had already been laid a road in another portion of the same village and his lands have absolutely no connection to the National Highway. Hence, he gave a representation to the 1st respondent to rectify the land dues by deleting the bypass road as is reflected in the plan and to restore the same to its original position. As no action was initiated, he



W.P.No.39208 of 2025

has come before this Court.

WEB COPY

4. When I took up the matter on 24.10.2025, Mr. Sudalaiselvam, produced the instructions of the Chief Planner, Master Plan Unit dated 23.10.2025. The said authority had instructed Mr. Sudalaiselvam in the following terms:-

“In this regard, the petitioner has to get the Land Plan Schedule records from the Highways Department along with the sub-division incorporated in the revenue map so as to conforming the exact road alignment whether passing through his land and to take further action on the representation filed by the petitioner. Only on submission of these particulars further action can be taken on this on his representation.”

5. Taking note of the submission of Mr. Sudalaiselvam that no records available in CMDA regarding the acquisition and laying of road by the National Highways on a different place and area of the same village, I impleaded the National Highways authority as a party. I directed Mr. Ramesh Venkatachalapathy to serve notice on Ms. S.R. Sumathi, the learned standing counsel for the said authority.

6. Ms. S.R. Sumathi has filed status report of the second respondent which states that the four laning of NH-5 was originally contemplated over



W.P.No.39208 of 2025

survey numbers, including those of the petitioner, yet, when the notification was issued under Section 3 A (1) of National Highways Act, 1956, the survey numbers, with which the petitioner is concerned, were not included in the same. The affidavit further reads that 400 square meters of the petitioner's land in S.No.181/1 was notified under 3D (1) of the National Highways Act, 1956, for the purpose of acquisition on 30.09.2013. Subsequently, due to administrative reasons, the proposal which was made in 2013 for six laning of the National Highways was dropped.

7.The status report filed by the Project Director on 14.11.2025 is extracted hereunder:-

“1.I am the 2nd respondent in the above Writ Petition. I am discharging duties as DGM (T) & Project Director National Highways Authority of India, Project Implementation Unit, Chennai having office presently at 5th Floor, CMRL Building, Poonamallee High Road, Koyambedu, Chennai – 600 107. I am conversant with the facts of the case. I am rendering this Status Affidavit based on the records available at my office. I am competent to swear this Status Affidavit.

2.I am to state that the Petitioner has filed “Writ of Mandamus directing the petitioner's representation dated 28.08.2025 by correcting the land use and deleting the



WEB COPY



W.P.No.39208 of 2025

imaginary GNT By Pass Road in S.No.178 and 181 of Lyon Pullion Village, Ponneri Taluk and dispose the same within a time frame stipulated by this Hon'ble Court.”

3.I humbly submit that when this writ petition came up for admission this Hon'ble Court suomotu impleaded NHAI as 2nd Respondent. I have gone through the contents of the affidavit filed in support of the writ petition. I have also gone through the remarks rendered by the Chief Planner MPU.

4.I humbly submit that original acquisition of lands for forming 4 lane of NH-5 was notified under section 3A (1) of National Highways Act, 1956 on 23.08.2001. In the above notification the S.Nos mentioned in the affidavit were not published for acquisition.

5.I humbly submit that after verifying the related records, I am to submit that an extent of 400 sqmt of petitioners land in S.No.181/1 at Lyon Grant Village, Madhavaram Taluk was notified under Section 3D (1) of National Highways Act, 1956 on 30.09.2013 for acquisition for the purpose of 6 laning of NH-5.

6.I humbly submit that later due to administrative reasons, the said proposal to acquire the lands of the petitioners and others notified in the year 2012 for the purpose of 6 laning of NH-5 was dropped. The lands were not taken over possession by NHAI. The subject lands are in possession with the land owner himself.

7.Hence, it is prayed that this Hon'ble Court may kindly be pleased to record this status affidavit and pass suitable



W.P.No.39208 of 2025

orders and thus render justice.”

WEB COPY

8.Perusal of the affidavit shows that the National Highways has not acquired any land of the petitioner. Therefore, to state that the land will be retained for GNT bypass road in the land use records does not arise for consideration. Consequently, there shall be a direction to the first respondent to delete the road which is said to be running over the petitioner's property and to restore the same as it stood prior to the National Highway's notification of the year 2013. Accordingly, the present Writ Petition is ordered. No costs.

14.11.2025

ep

Index:Yes/No

Speaking Order: Yes/No

To

1.The Member Secretary

Chennai Metropolitan Development Authority (CMDA)

Thalamuthu Natarajan Building,



W.P.No.39208 of 2025

No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008

WEB COPY

2.The Project Director,
National Highways Authority of India,
Chennai Region, CMRL Building,
Koyambedu, Chennai.

V.LAKSHMINARAYANAN. J,



WEB COPY



W.P.No.39208 of 2025

W.P.No.39208 of 2025

14.11.2025