



W.P.(MD) No.15347 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.15347 of 2025
and
W.M.P(MD)No.11594 of 2025

A.Manoharan

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Superintendent of Police,
Dindigul District, Dindigul.
- 3.The Divisional Engineer (NH),
O/o. The Divisional Engineer Office,
Madurai Division (Planning),
Madurai.
- 4.The Assistant Divisional Engineer,
O/o. Assistant Divisional Engineer Office,
Highways Planning Sub Division, Dindigul.
- 5.The Tahsildar,
Dindigul East Taluk, Dindigul.
- 6.The Special Tahsildar/Land Acquisition Officer,
Land Acquisition & Management,
Dindigul Town& Bye-Pass Road,
Dindigul Unit, Dindigul.

... Respondents



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Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records relating to the impugned order passed by the fourth respondent in proceeding No. கு.எண்.கடவு.எண்.3/2025/இநிஉ dated 26.05.2025 is illegal and the quash the same.

For Petitioner : Mr.V.Karuna

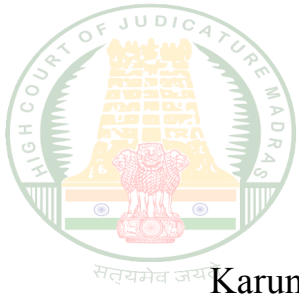
For R1, R3 to R6 : Mr.A.Baskaran
Additional Government Pleader

For R2 : Mr.M.Vaikkam Karunanithi
Government Advocate

ORDER

This writ petition has been filed challenging the notice issued by the fourth respondent directing the petitioner to hand over the possession of the subject property, which has been acquired under provision of Tamil Nadu Highways Act for construction of railway underpass.

2.Heard the arguments of Mr.V.Karuna, learned counsel appearing for the petitioner, Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 and 3 to 6 and Mr.M.Vaikkam



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Karunanithi, learned Government Advocate appearing for the second respondent. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.It is seen from the impugned notice, Section 15(1) notice was gazetted on 18.03.2025. Therefore, the property acquired under the Tamil Nadu Highways Act has been vested with the Government, as per Section 16 of Tamil Nadu Highways Act. Without challenging 15(1) notification, the petitioner is not entitled to challenge the consequential notice of the fourth respondent directing him to hand over possession. Therefore, I do not find any reason to interfere with the impugned notice issued by the fourth respondent. Accordingly, this Writ Petition stand dismissed. It is made clear that the dismissal of the writ petition will not come in the way of the petitioner challenging 15(1) notification, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

05.06.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
cp



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S.SOUNTHAR,J

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