



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.06.2025

CORAM:

THE HONOURABLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.15608 of 2025

and

W.M.P(MD)Nos.11823 and 11824 of 2025

A.Manoharan

... Petitioner

.Vs.

1.The Commissioner of Land Administration,
Chepauk,Chennai.

2.The District Collector,
Dindigul District,
Dindigul.

3.The Land Acquisition Officer/
Special District Revenue Officer,
Land Acquisition and Management,
Madurai.

4.The Superintendent of Police,
Dindigul District.
Dindigul.

5.The Divisional Engineer,(NH),
Office of the Divisional Engineer Office,



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Madurai Division(Planning),
Madurai.

6.The Assistant Divisional Engineer(NH),
Office of the Assistant Divisional Engineer Office,
Highways Planning Sub-Division,
Dindigul.

7.The Tahsildar,
Dindigul East Taluk,
Dindigul.

8.The Special Tahsildar/Land Acquisition Officer,
Land Acquisition and Management,
Dindigul Town and Bye-Pass Road,
Dindigul Unit,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned Government Gazette Notification in LA -V1(3)9563033/2025, dated 18.3.2025 issued by the first respondent and consequential impugned communication issued by the sixth respondent in proceeding No.Ku.No.Kadavu.No.3/2025/Ei.Ni.Uu, dated 26.05.2025 are illegal and to quash the same.

For Petitioner : Mr.V.Karuna

For R1,R2,R5 and R6 : Mr.D.S.Nedunchezian
Govt.Advocate

For Respondent-4 : Mr.M.Vaikkam Karunanithi
Govt Advocate(Crl.side)



ORDER

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The Writ Petition is filed challenging the notification issued under Section 15(1) of the Tamil Nadu Highways Act.

2.Mr.D.S.Nedunchezian, learned Government Advocate takes notice for the respondents 1, 2,5 and 6 and Mr.M.Vaikkam Karunanithi, learned Government Advocate(Crl.Side) takes notice for the fourth respondent. By consent of both parties, the Writ Petition is taken up for final disposal.

3,According to the Petitioner, he is the owner of 2250 sq mtrs of land in T.S.No.80, situated at Ward No.7, Block No.6, Dindigul Town, Dindigul District and the patta stands in the name of Poojaries of Vinayagar Temple.The third respondent issued a notice under Section 15(2) of Tamil Nadu Highways Act on 3.11.2021 calling for objection from the land owners in respect of the land acquired for the construction of Fly Over in Thamaraipatti Dindigul Railway Line. Subsequently, the impugned notification has been issued under Section 15(1) of Tamil Nadu Highways Act seeking acquisition of 64 sq.mtrs of land in T.S.No. 80, Balakrishnapuram, Dindigul East Taluk, Dindigul. Aggrieved by the said notification, the Petitioner has come before this Court.



WEB COPY 4.The learned counsel for the Petitioner would submit that the impugned notification has been issued without prior notice under Section 15(2) of the Tamil Nadu Highways Act. The learned counsel would further submit that the first respondent failed to consider the availability of the Government land measuring 50 sq.ft on the northern side of the property sought to be acquired.

5.The learned Government Advocate, who takes notice for the respondents 1,2,5 and 6 produced the consent letter given to the Petitioner, dated 06.11.2024 while participating in the Section 15(2) enquiry. A perusal of the same would suggest that the petitioner participated in the enquiry conducted by the respondents pursuant to Section 15(2) notice and gave no objection for acquisition of property. Therefore, the submission of the learned counsel for the petitioner that no notice under Section 15(2) was issued to the Petitioner is rejected. In the 15(2) enquiry, the Petitioner failed to raise any objection with regard to the availability of alternative Government land. Therefore, it is not open to the Petitioner to raise the said point in the Writ Petition filed by him challenging 15(1) notice. I do not find anything to interfere in the impugned notification issued by the first respondent.



WEB COPY 6. Accordingly, the Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

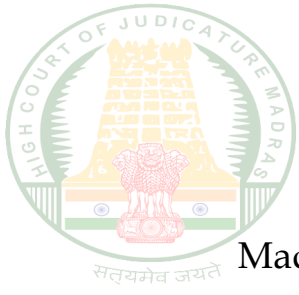
09.06.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

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Dindigul.
3. The Land Acquisition Officer/
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Land Acquisition and Management,
Madurai.
4. The Superintendent of Police,
Dindigul District.
Dindigul.
5. The Divisional Engineer, (NH),
Office of the Divisional Engineer Office,
Madurai Division (Planning),

5/8



Madurai.

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6. The Assistant Divisional Engineer(NH),
Office of the Assistant Divisional Engineer Office,
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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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