



W.P.No.13278 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR
and
THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.13278 of 2025 & W.M.P No.14860 of 2025

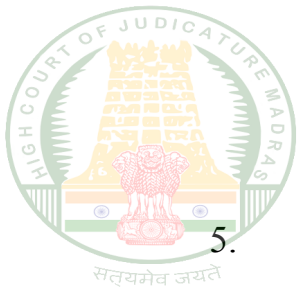
S.Muruganandham

... Petitioner

vs.

1. The Highways & Administrative Officer Authorised
National Highways Authority of India
Project Implementation Unit- Chennai-1
5th Floor, CMRL Building, Poonamallee High Road
Koyambedu, Chennai - 600 107
2. The Project Director
Project Implementation Unit- Chennai-1
5th Floor, CMRL Building, Poonamallee High Road
Koyambedu, Chennai - 600 107
3. The Tahsildar
Madhavaram Tahsildar Office
Gandhi Main Road, Puzhal
Chennai - 600 066
4. The Assistant Commissioner of Police
Puzhal Range
Puzhal
Chennai - 600 066

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5. The Inspector of Police
Puzhal

NH16, New Central Jail, Puzhal
Chennai - 600 066

... Respondents

Writ Petition filed under Article 226 of The Constitution of India

praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings issued by the 1st respondent vide NHAI/11021/4/2024/PIU, Chennai-1/474 dated 02.04.2025 and quash the same as illegal, non-est and arbitrary in law and consequently forbear the respondents from any manner interfering with petitioner's peaceful possession and enjoyment of property comprised in S.No.448, situated in Puzhal Village, Ambattur Taluk, Tiruvallur District measuring to an extent of 2194 sq.ft.

For petitioner : Mr.B.Vijay
for Mr.S.Mohamed Uduman

For RR 1 & 2 : Ms. S.R.Sumathy
Standing Counsel

For R3 : Mr. T.K.Saravanan
Addl. Govt. Pleader

For RR 4 & 5 : Mr. M. Babu Muthu Meeran
Additional Public Prosecutor



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ORDER

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(Order of the Court was made by M. SUNDAR, J.)

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings.

2. Today, Mr.B.Vijay, learned counsel representing the counsel on record for writ petitioner, Ms.S.R.Sumathy, learned Standing Counsel for R1 & R2 (NHAI), Mr. T.K. Saravanan, learned Additional Government Pleader for R3 and Mr. M. Babu Muthu Meeran, learned Additional Public Prosecutor for R4 and R5, are before us.

3. Ms. S.R. Sumathy, learned Standing Counsel for R1 and R2 (NHAI), adverted to a counter affidavit dated 15.04.2025 (counter of R2) and the typed-set of papers dated 15.04.2025 and submitted that the counter affidavit and the typed-set *inter alia* contain answers to paragraph 8 of our order dated 09.04.2025.

4. As regards the typed-set with regard to Gazette notification dated 16.09.2019, learned Standing counsel submitted that the Project Director of National Highways Authority is empowered to exercise power under

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Section 26 of the Control of National Highways (Land and Traffic) Act, 2002 and that R1 is functioning as Projector Director, saying so learned counsel sought time to file an affidavit to this effect.

5. As regards 'Highways land', proceedings dated 05.03.2025 bearing reference R.C.No.910/2025/B1 being communication from R3 to R2 was adverted to. In this communication, there is a reference to a combined sketch and the communication says that combined sketch has been annexed but the same has not been filed. Faced with this situation, learned counsel sought time to file the combined sketch also.

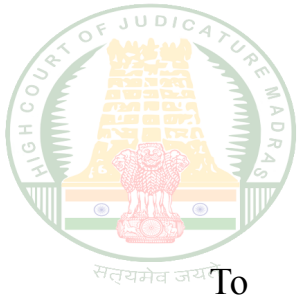
6. On the aforementioned affidavit and combined sketch being produced, the points raised in paragraph 8 vide our 09.04.2025 order will be examined. Learned Standing counsel sought time till 28.04.2025.

7. Interim order granted vide paragraph 11 of 09.05.2025 order and extended vide paragraph 6 of 16.04.2025 proceedings/order to continue.

List on 28.04.2025.

(M.S., J.) (K.G.T., J.)
22.04.2025

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M.SUNDAR, J.

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K.GOVINDARAJAN THILAKAVADI, J.

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&
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