

ITEM NO.18 Court 7 (Video Conferencing) SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).857/2021

(Arising out of impugned final judgment and order dated 18-12-2020 in WP No.19262/2020 passed by the High Court Of Judicature At Madras)

M KALAISELVAN

Petitioner(s)

VERSUS

THE GOVERNMENT PRINCIPAL SECRETARY DEPARTMENT OF
REVENUE AND DISASTER MANAGERMENT & ORS.

Respondent(s)

(With appls.for exemption from filing c/c of the impugned judgment, exemption from filing O.T.)

Date : 25-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Rahul Shyam Bhandari, AOR

For Respondent(s) Ms. Aswathi M.K., AOR
 Mr. Beno Bencigar, Adv.
 Mr. K.K.S.Krishnaraj, Adv.

Ms. R.Hemalatha, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Aggrieved by the Notice dated 19.11.2020 issued by the Tamil Nadu Highway Department under Section 28(2)(ii) of the Tamil Nadu Highways Act, 2001, the petitioner filed a writ petition in the High Court on the ground that his land was classified as Ground (Village site) and Section 28(2)(ii) could not have

been invoked. He further submitted that he has been residing on the land for the past 60 years and there is a decree in his favour in the High Court.

The High Court directed the authority to consider the explanation/legal notice which was submitted on 28.11.2020 within a period of three weeks. Till the authority passes the final orders, the High Court protected the petitioner by directing that no third party rights can be created.

As the SLP is filed against an order passed by the High Court directing the authority to consider the representation of the petitioner, we are not inclined to interfere. The Special Leave Petition is accordingly, dismissed. Pending application(s), if any, shall stand disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master