



W.P.(MD)No.2495 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.2495 of 2026
and WMP(MD).No.2064 of 2026

1. B.Ravi
2. Rajammal

... Petitioners

Vs.

1. The State of Tamilnadu
Rep by Addl.Chief Secretary,
Revenue and Disaster Management Department
Secretariat,
Chennai – 600 009.
2. The State of Tamil Nadu
Rep by Secretary
Water Resources Department
Secretariat
Chennai – 600 009.
- 3.The District Collector
Collectorate,
Karur – 639 001.
4. The Special District Revenue Officer(Land Acquisition)
Collectorate,
Karur – 639 001.



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5.The Special Tahsildar (Land Acquisition)
Kulithalai Taluk,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned order in Na.Ka.A1/48/2024 dated 13.01.2025 issued by the 3rd respondent and quash the same.

For Petitioners : Mr.K.R.Kishore Ram
For Mr.S.Venkatesh

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
(R1 to R5)

ORDER

This Writ Petition has been filed to quash the impugned order in Na.Ka.A1/48/2024 dated 13.01.2025 issued by the 3rd respondent.

2. The petitioner's lands, located in Survey No. 293/1B and measuring an area of Hectare 1.81.50 ares, were acquired by the respondents. This property was originally settled in the petitioner's name by their mother. While determining



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the compensation the respondents have issued an order stating that the plants and trees standing on the land cannot be considered when determining the compensation value. The said portion is hereunder:

எனவே, நிலமெடுப்பு பணிகள் மேற்கொள்ள முதல்நிலை அறிவிக்கை வெளியிட்ட பின்னர் கையக நிலங்களின் மீது பற்றுள்ளவர்கள்/ அக்கறைத்தாரர்களால் கையக புலங்களில் பயிர்கள் மற்றும் மரங்கள் புதியதாக சாகுபடி செய்யப்பட்டுள்ளதால் மேற்படி பட்டியலில் உள்ள நபர்களின் புலங்களில் தற்போது உள்ள பயிர்கள், மரங்கள் ஆகியவற்றிற்கு இழப்பீடு தொகை வழங்கிட இயலாது என ஆணையிடப்படுகிறது.

3. The contention of the petitioners is that the District Collector is not having any power to pass such an order, since the District Collector's has power only to refer the matter to the Competent Civil Court in the format in form No.65 after issuing notice to the petitioners. But the District Collector has passed an order on merits, thereby affecting the petitioners rights. Hence, the present writ petition is filed.

4. The learned Counsel appearing for the petitioners further relied on a similar order passed by the Court in WP(MD)No.4419 of 2026 dated 18.02.2026,



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where it has been held as:

"7. As seen above, while making a reference on the basis of the objections raised by any person, it is the duty of the District Collector to inform the concerned authority in writing.

8. As rightly contended by the learned counsel for the petitioner, there is no provision enabling the District Collector to revisit his own award on the basis of objections made to the award. The District Collector must follow the procedure laid down under Section 65 of the Act after receiving objections and cannot decide the objections received under Section 64 of the Act.

9. For the reasons stated above, the impugned order lacks bona fides and is liable to be set aside. Accordingly, the impugned order dated 13.01.2025 is hereby set aside and this writ petition stands allowed. No costs. Consequently, the connected miscellaneous petitions are closed."

5. This Court is of the considered opinion that the District Collector cannot review his own order and he has become functus officio. Hence the District Collector is not empowered to pass the impugned order. Further the rights of the petitioners have been affected. Furthermore, this Court concur with the above judgment of the Learned Single Judge. Therefore, the impugned order is hereby set aside.

6. It is seen that the petitioners have submitted an objection based on the order dated 06.03.2024 passed in WP(MD)No.4957 of 2024 batch, wherein the



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Court directed the District Collector to consider the petitioners objection before passing the award and also held if the petitioners are still dissatisfied with the award, the petitioners may seek a reference under Section 64 of the Act. Therefore, the petitioner shall submit a petition before District Collector seeking reference to the competent Civil Court within a period of two weeks from the date of receipt of the copy of this order. On such submission the District Collector, Karur is directed to issue Forms 65 to the petitioners and further the District Collector is directed to refer the case to the Principal District Judge, Karur and the same shall be completed with a period of eight weeks therefrom. The petitioners are at liberty to raise the issue before the competent court as per the law.

7. With these directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Index : Yes / No
Internet : Yes
NCC : Yes / No
msrm



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To

1. The Addl.Chief Secretary,
Revenue and Disaster Management Department
Secretariat,
Chennai – 600 009.
2. The State of Tamil Nadu
Rep by Secretary
Water Resources Department
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Chennai – 600 009.
3. The District Collector
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5. The Special Tahsildar (Land Acquisition)
Kulithalai Taluk,
Karur.
6. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai



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S.SRIMATHY, J

msrm

**Order made in
W.P(MD).No.2495 of 2026
and WMP(MD).No.2064 of 2026**

**04.03.2026
(1/3)**