



W.P.(MD)No.12083 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12083 of 2022

and

W.M.P(MD)No.8592 of 2022

1.Subramanian
2.Subbulakshmi
3.Nithya
4.Ramakrishnan

... Petitioners

Vs

1.The Special District Revenue Officer (Land Acquisition)
Chennai – Kanyakumari Industrial Road Development Project,
Tirunelveli – 627 011.

2.The Special Tahsildar,
Chennai – Kanyakumari Industrial Highways Project,
Thiruppathur,
Sivagangai District.

3.M.Vaithiyanathan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct respondents to pay the award as per the order of the second respondent made in Na.Ka.No.A1/05/2021 dated 13.09.2021 for acquiring the petitioner's land comprised in Survey Nos. 87/3A2, 87/3A3, 87/3A4 and 87/3A5, Keezhavalavu Village, Melur Taluk, Madurai District.



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For Petitioner : Mr.M.Balakrishnan

For Respondents : Mr.Sarangan

Additional Government Pleader for R.1 & R.2
Mr.S.Mahesh Babu for R.3

ORDER

Heard the learned counsel on either side.

2. The petition mentioned lands were acquired under the provisions of the Tamil Nadu Highways Act, 2001. There is a dispute regarding the apportionment of the compensation amount. The third respondent would claim that what was sold to the petitioners' father, is only one cent of land, but the petitioners have managed to obtain patta for 5 cents of land.

3. Be that as it may, the fact remains that as on date, there is a dispute between the parties. Therefore, the first respondent is obliged to make a reference under Section 21(2) of the Tamil Nadu Highways Act. Such reference shall be made within a period of two weeks from the date of receipt of a copy of this order. The reference will be numbered and notices issued to all the interested parties by the jurisdictional Court within a period of four weeks thereafter. The reference itself will be answered on merits and in accordance with law within a period of eight months thereafter.



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4. This Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

04.07.2022

Index : Yes / No
Internet : Yes/ No
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To

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G.R.SWAMINATHAN, J.

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