



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18437 of 2022

C.Maharajan

... Petitioner

v.

1.The District Revenue Officer
(Land Acquisition),
Chennai – Kanyakumari Industrial Corridor
Project, Plot No.B-39, 19th Cross Street,
Maharaja Nagar, Tirunelveli – 11.

2.The Assistant Divisional Engineer (Highways),
Chennai – Kanyakumari Industrial Corridor Project,
Thiruppathur, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from depriving the petitioner of his property in Survey No.353/33A, Keelavalavu Village, Melur Taluk, Madurai District and consequently direct the first respondent to refer the dispute regarding the award bearing Na.Ka.No.A3/281/2020 dated 24.09.2021 on the file of the first respondent for fixation of compensation to the court concerned on the basis of the petitioner's representation dated 01.08.2022.



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For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

Heard the learned counsel on either side. The petitioner's land had been acquired. An award dated 24.09.2022 was also passed. The petitioner felt aggrieved by the quantum of compensation determined in the award. It is seen that the petitioner has made a demand for referring the matter for the determination of the court. Section 20 of the Tamil Nadu Highways Act, 2001 is as follows :

"20.(1)Any person aggrieved by the decision of the Collector, or the officer to whom the case was transferred, determining the amount may, within sixty days from the date of such decision, in so far as it affects him, by application to the Collector or the officer to whom the case was transferred, require that the matter be referred by him for the determination of the Court as defined in the Land Acquisition Act, 1894, and when any such application is made, the provisions of Part III of the said Act shall *mutatis mutandis* apply to further proceedings in respect thereof.

(2)The decision of the Court on such reference and subject only to such decision, the decision of the Collector determining the amount shall be final."



2.The first respondent is directed to act in terms of the aforesaid statutory provision. The petitioner shall be informed about the decision to be taken by the first respondent within a period of three weeks from the date of receipt of copy of this order. The writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

16.08.2022

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To

- 1.The District Revenue Officer
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- 2.The Assistant Divisional Engineer (Highways),
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G.R.SWAMINATHAN, J.

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