



W.P(MD)No.21610 of 2021

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 29.06.2022

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.21610 of 2021

and

W.M.P.(MD)Nos.18166 and 18167 of 2021

1.Nazeer Mohammed

2.Mahabooprani

... Petitioners

**Vs.**

1.The Secretary,  
Highways Department,  
Secretariat, St.Fort George,  
Chennai-9.

2.The District Collector,  
Thanjavur District,  
Thanjavur.

3.The Special Revenue Divisional Officer,  
(Land Acquisition Officer),  
Kumbakonam,  
Thanjavur District.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India,  
praying this Court to issue a Writ of Certiorari, to call for the records relating to  
the impugned proceedings of the 3<sup>rd</sup> respondent in



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Na.Ka.No.233/2019/A2/Ma.Ne-64, dated 23.12.2019 consequential award  
passed in Award No.59/2020 dated 08.02.2021 and quash the same.

For Petitioners : Mr.G.Karnan

For Respondents : Mr.M.Prakash,  
Addl. Government Pleader.

### **ORDER**

Heard the learned counsel for the writ petitioners and the learned  
Additional Government Pleader for the respondents.

2.According to the petitioners, the lands in excess of what was notified  
had been taken while award has been passed only for a lesser extent. The  
petitioners have referred to three specific survey numbers.

3.The third respondent Mr.N.Venkatachalam is present in person before  
this Court. He categorically stated that in S.No.54/4 only 23 square meters out  
of 450 square meters has been taken and denied the allegation of the petitioners  
that 83 square meters has been taken. As regards S.No.53/3 is concerned, it is  
stated that 170 square meters of land had been taken. The petitioners denied  
the allegation that 173 square meters was taken in S.No.53/3. As regards S.No.



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54/1A2, there has been no acquisition. Since in the counter affidavit such a clear stand has been taken, it is for the petitioners to workout their rights in the manner known to law. Regarding the grievance pertaining to quantum of compensation, the petitioners are at liberty to workout the same in the manner known to law.

4. Leaving open the petitioners' rights, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

**29.06.2022**

Index : Yes / No  
Internet : Yes/ No  
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To:

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2. The District Collector,  
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**G.R.SWAMINATHAN, J.**

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