



WEB COPY

W.P.No.5421 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5421 of 2022

1.K.G.Meiyazhagan

Represented by his Power Agent

Mrs.S.Thilagamani

2.Mr.S.Thilagamani

... Petitioners

Vs

1.The Special District Revenue Officer (Land Acquisition),
Chennai – Kanyakumari Industrial Corridor Project,
Plot No.74, Vijayaraghavan Nagar,
Zakir Ammapalayam,
Salem – 636 302.

2.District Registrar (Registration Department),
Office of the District Registrar,
Campus of the Office of the District Collector,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records in relation to the impugned order passed by the 1st respondent in



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Na.Ka.No.6/2019/A4 dated 30.11.2021 and order passed by the 2nd respondent in Na.Ka.No.1529/A1/2020 dated 13.12.2021, quash the same with consequent direction to the 1st respondent to determine the compensation value for lands acquired from the petitioners herein comprised in Survey Nos.544/7A, 544/9A, 544/7B and 544/9B, situate in Morur Bit-2 Village, Sankari Taluk, Salem District for the purpose of laying a bye-pass road leading from Omalur-Sankari-Tiruchengode to Paramathi Road under Chennai-Kanyakumari Industrial Corridor Project as per Tamil Nadu Highways Act 2001 in consonance with Section 26 (1) (a) and its proviso of the RFCTLARR Act by considering the market value/guideline value of the date of notification published under section 15(2) of Tamil Nadu Highways Act 2001 i.e.14.01.2020.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.T.Arunkumar,
Additional Government Pleader.

ORDER

The inter-departmental communication between the Special District Revenue Officer (Land Acquisition) and the District Registrar, Salem District in proceedings dated 30.11.2021 is under challenge in the present writ petition.



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2. The inter-departmental communications between the Authorities for the purpose of ascertaining the value of the acquired property would not provide a cause for the writ petitioner to file the present writ petition. The petitioner will get opportunity to defend his case during the course of the acquisition proceedings.

3. The land belonged to the petitioner is proposed to be acquired for Chennai-Kanyakumari-Industrial Corridor Project. The learned Additional Government Pleader, based on the written instructions given by the Special District Revenue Officer (Land Acquisition), made a submission that the guideline value will be decided by the District Level Committee as per G.O.No.75 Commercial Taxes and Registration (J1) dated 01.06.2010. The District Level committee is scheduled to be convened on 14.09.2023 i.e. today. The Committee has to consider various factors and take a decision on merits and in accordance with law.

4. In the present case, admittedly, award has not been passed and the compensation is yet to be determined. While so, the inter-departmental communication between the Special District Revenue Officer and the District



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Registrar, Registration Department would not provide a cause for the petitioner to file the present writ petition. The petitioner has pre-determined the issues and approached this Court for the purpose of causing delay in acquiring the land and such ideas of the litigants at no circumstance be encouraged by the Courts.

5. Lands are sought to be acquired for the public projects and the petitioner undoubtedly is entitled for compensation in accordance with the provisions of the land acquisition Act. The petitioner is entitled to submit his objections under the provisions of the Act. Thus, the petitioner is at liberty to do so or seek an enhancement of compensation after passing the award, as the case may be, by following the procedure as contemplated.

6. With this liberty, the Writ Petition stands **dismissed**. No costs.

14.09.2023

Index : Yes / No
Speaking order/Non-Speaking order
Neutral Citation : Yes / No
(veda/sha)



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To
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S.M.SUBRAMANIAM, J.

sha

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and

W.M.P.No.5514 of 2022

14.09.2023