



W.P(MD)No.1410 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1410 of 2023

and

W.M.P.(MD)No.1299 of 2023

K.Jeyalakshmi

... Petitioner

Vs.

- 1.The Union of India,
Rep. by the Secretary,
Department of Road Transport and Highways,
No.G5, 6, Sector – 10, Dwarka,
New Delhi – 110 010.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Authorized Officer / District Revenue Officer,
Road Transport and Highways Department,
Thirumangalam to Rajapalayam,
(NH-744) Four Way Project,
District Collectorate Campus,
Virudhunagar.
- 4.The National Highways Authority of India,
Rep. by its Regional Officer,
2nd and 3rd Floor, Vijaykrishna Plaza,
No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai.



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5. The Special Tahsildar (Land Acquisition)
Thirumangalam – Rajapalayam National
Highways (NH 744) Four Way Project,
Unit-IC, Rajapalayam,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from acquiring the land in survey No.597/3C, 598/4C, 608/1 and 608/2 in an extent of 0.5.50, 0.6.00, 0.18.00 and 0.18.50 Hectares situated at S.Ramalingapuram Village, Samsikapuram Revenue Village, Rajapalayam Taluk, Virudhunagar District without following the due process of law and without fixing fair compensation procedure contemplated under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by considering the petitioner's representation dated 21.10.2022 within time fixed by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mrs.B.Deepa,
Central Govt. Standing Counsel for R1.
Mr.B.Saravanan,
Addl. Govt. Pleader for R2, R3 & R5.
Mr.Su.Srinivasan,
Standing Counsel for R4.



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ORDER

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Heard the learned counsel on either side.

2.The petition mentioned property belongs to the writ petitioner. It has been acquired under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The compensation is yet to be disbursed. I make it clear that unless the compensation as determined by the competent authority is disbursed, the petitioner will not be dispossessed. If the petitioner is aggrieved by the quantum of compensation, it is open to the petitioner to seek enhancement in the manner known to law.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

23.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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- 3.The Special Tahsildar (Land Acquisition)
Thirumangalam – Rajapalayam National
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G.R.SWAMINATHAN, J.

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