



W.P(MD)No.8777 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.8777 of 2023

R.Palanichamy

... Petitioner

Vs.

- 1.The District Collector
Office of the District Collector,
Dindigul - 624 004.
- 2.The Special District Revenue Officer (Land Acquisition),
Office of the Special District Revenue Officer (Land Acquisition),
National Highways No.209,
M/s.National Highways Authority of India,
No. 567, APJ Abdul Kalam Street,
Chennamanaikanpatty,
Collectorate Post,
Dindigul.
- 3.The Project Director
NH 209,
M/s. National Highways Authority of India,
No. 567, APJ Abdul Kalam Street,
Chennamanaikanpatty,
Dindigul,
Pin- 624 004.



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4.The Special Tahsildar (Land Acquisition),
National Highways No.209,
Palani,
Dindigul District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to enhance and fix fair compensation of the award amount for the land and building acquired by the second respondent, comprising in Survey Nos.969/6 and 969/14 constituting 179 square meter, situated at Thalaiyuthu Village, Thalaiyuthu Post, Palani Taluk, Dindigul District, by taking into consideration of the market value of the lands situated in and around the area by considering the petitioner's representation sent to the first respondent dated 29.03.2023.

For Petitioner : Mr.L.Prabhu

For Respondents : Mr.N.Muthu Vijayan - for R1, R2 & R4
Special Government Pleader

Mr.P.Karthick - for R3
Standing Counsel



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ORDER

The issue relates to seeking enhancement of compensation consequent to acquisition of land and building in Survey Nos.969/6 and 969/14 measuring 179 square meters at Thalaiyuthu Village, Palani Taluk, Dindigul District. The land had been acquired by the National Highways Authority of India. Raising issues relating to the compensation granted, the petitioner had forwarded a representation on 29.03.2023 addressed to the respondents herein including the first respondent.

2. In accordance with Section 3G(5) of the National Highways Act, 1956, the Appellate Authority and the authority who can examine whether compensation can be enhanced or not, is the District Collector. The first respondent/ District Collector may examine whether the representation dated 29.03.2023 is still available in his office and if it is so, may convert it as a regular appeal under the provisions of the aforementioned Act, and proceed him further in manner known to law and in accordance with law and also keep in mind principles of natural



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justice, namely, to afford effective opportunity of hearing to all parties concerned.

3. With the above directions, the Writ Petition stands disposed of. No costs.

18.04.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

RM



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C.V.KARTHIKEYAN, J.

RM

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