



WP(MD)No.16009 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Radha Chellammal

... Petitioner

Vs

- 1.The District Collector,
Office of the District Collector,
Madurai,
Madurai District.
- 2.The Regional Officer,
National Highway Authority of India,
No.II & III Floor,
Vijay Krishna Plaza,
No.1, Lake Area,
Melur Main Road,
Madurai District.
- 3.The Revenue Divisional Officer,
Office of the National Highways Authority of India,
No.744, Kallikudi Road,
T.Kallupatti,
Madurai District.

4.Maheshwari

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the petitioner for compensation of National Highways Authority of India for acquisition of the petitioner's authorised property on the basis of the communication notice issued by the third respondent in Na.Ka.A1/245/2023, dated 26.05.2023, in accordance with law.

For Petitioner	: Mr.R.Murugan
For R1 & R3	: Mrs.D.Farjana Ghoushia Special Government Pleader
For R2	: Mr.P.Karthick Standing Counsel

ORDER

The petitioner sought for compensation based on a sale agreement entered into between the petitioner and the husband of the fourth respondent, which was not executed.

2.The petitioner has entered into an agreement with one Ganesan, the husband of the fourth respondent herein for the purchase of land in Survey No.18/1A1 to an extent of 19 cents situated at



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T.Kunnathoor Village, Peraiyur Sub Division, Madurai South, Madurai. However, before the execution of the sale agreement, the said Ganesan died. The petitioner has insisted the fourth respondent to execute the sale deed and it was fructified. In the meantime, it appears that the subject land was acquired by the National Highways. The petitioner has filed this writ petition seeking compensation.

3.The petitioner cannot maintain this writ petition merely based on a sale agreement, which was not executed. If the petitioner is having any grievance as against the fourth respondent, she can work out her remedy in the manner known to law before the appropriate Forum.

4.Accordingly, this writ petition is dismissed. No costs.

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NCC : Yes / No.

Index : Yes / No.

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B.PUGALENDHI, J.

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