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W.P.(MD)NO.20981 OF 2014

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

**DATED: 21.09.2023**

**CORAM**

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

**W.P.(MD)No.20981 of 2014**

The Managing Director,  
M/s. Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Kumbakonam.

... Petitioner

Vs.

1. The District Collector,  
Tiruchirappalli.
2. The Competent Authority cum  
Special District Revenue Officer,  
Land Acquisition-BHAI,  
Tiruchirappalli -1.
3. The Special Tahsildar,  
Land Acquisition NH 67,  
Unit V, NHAI-door No.65,  
3<sup>rd</sup> Main Street,  
Pon Nagar Trichy.
4. The Project Director, NHAI,  
Pon Nagar, Trichy.

... Respondents

**Prayer:** Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Award No.2 of 2009-2010 in proceedings Na.Ka.E/1573/2007



and the consequent endorsement dated 02.06.2010 of the second respondent and quash the same and pass suitable orders to pay compensation with due interest to the petitioner for the lands acquired by the second respondent in S.No.172(part) and S.No.177(Part) of Thuvakudi Village, Trichy District within a time.

For Petitioner : Mr.Jagadees Balan  
For R-1 to R-3 : Mr.S.Shanmugavel,  
Additional Government Pleader.  
For R-4 : Dr.Rajagopal  
\* \* \*

### **ORDER**

Heard both sides.

2. The petition-mentioned lands and premises were acquired under the provisions of National Highways Act 1956. The acquisition proceedings had concluded in the year 2010 itself. The competent authority paid compensation to TNSTC, Kumbakonam for the building alone. As regards the land, the third respondent took the view that since the land has been classified as Government poramboke, compensation need not be paid to the Corporation. That led to the filing of this writ petition.



3. The learned Standing counsel appearing for the Corporation categorically asserted that the land also belongs to the petitioner. On verification of record, now it has been stated that the land also belonging to the Corporation. NHAI did not deposit the amount in the year 2010. The amount was retained by them. Now it has been clarified by the first respondent that the land also belongs to TNSTC.

4. Respondents 2 to 4 are directed to pay compensation to the petitioner together with interest computed @ 9% p.a. from the date of taking possession till the date of payment. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

**21.09.2023**

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



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**G.R.SWAMINATHAN,J.**

PMU

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