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W.A.(MD) No.1093 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.A.(MD) No.1093 of 2023
and
C.M.P.(MD) No.8357 of 2023**

The Project Director
11/1 Kongu Nagar East
National Highways Authority of India
Ramanathapuram (Post)
Coimbatore-641 045
presently at the Project Director
The National Highways Authority of India
(Project Implementation Unit)
Salem

... Appellant

-vs-

1.Palanisamy

2.K.P.S.Nithish

3.P.S.Dhivagar

4.The Competent Authority of
Land Acquisition (CALA)
And District Revenue Officer
National Highways -7
(Karur – Salem), Karur

... Respondents



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W.A.(MD) No.1093 of 2023

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 30.03.2022, passed in W.P.(MD) No.5667 of 2022, on the file of this Court.

For Appellant : Mr.SU.Srinivasan

For Respondents : Mr.M.Ramu for R1 to R3
Mr.T.Villavan Kothai
Additional Government Pleader for R4

J U D G M E N T

[Judgment of the Court was made by S.S.SUNDAR, J.]

This writ appeal is directed against the order of the learned Single Judge, dated 30.03.2022, passed in W.P.(MD) No.5667 of 2022.

2. This Court finds no merit in this writ appeal.

3. The question is whether the land owners, whose lands were acquired under the provisions of the National Highways Act, 1956, are entitled to solatium and additional interest as contemplated under the Land Acquisition Act, 1894 (Central Act). The said question has been answered by the Honourable Supreme Court in ***Union of India (UOI) and others vs. Tarsem Singh and others***, reported in ***(2019) 9 SCC 304***.



WEB COPY

W.A.(MD) No.1093 of 2023

4. This Court finds that the respondents 1 to 3 / writ petitioners have filed the writ petition only to direct the Competent Authority of Land Acquisition and District Revenue Officer / fourth respondent herein to calculate and disburse the payment of solatium and interest under Section 23(1A)(2) of the Land Acquisition Act, 1894 (Central Act). Therefore, this Court finds no ground to interfere with the order passed by the learned Single Judge, which is in tune with the decision of the Honourable Supreme Court in **Tarsem Singh's** case (cited supra) as to the entitlement of the land owners, whose lands are acquired under the provisions of the National Highways Act, 1956.

5. Hence, this writ appeal fails and it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.S.R., J.]

[D.B.C., J.]

19.07.2023

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

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Page 3 of 5



W.A.(MD) No.1093 of 2023

WEB COPY

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W.A.(MD) No.1093 of 2023

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