



W.P(MD)No.463 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.463 of 2016

V.Chellamani
Rep by his power agent
C.Periyasamy

... Petitioner

Vs

- 1.The Authorized Officer and
Special District Revenue Officer,
National Highways (Acquisition),
Pudukkottai.
- 2.The Special Tahsildar,,
Land Acquisition,
Tiruchirappalli District,
Tiruchirappalli.
- 3.The Project Officer Nhai,
(Tanjore to Manamadurai NH-226),
Subramaniyapuram 3rd Street,
Karaikudi,
Sivaganga District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to enquire the petitioner and to do the needful for



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enabling him to get proper compensation for the land acquired for formation of N.H.226 comprised in S.No.260/4 of an extent of 2136sq.mt and also for remaining extent of 200sq.mt in survey fields 260/2, 260/3 and 260/5 in Neivasal, Shanmuganathapuri, Thirumayam Taluk, Pudukkottai District by considering the representation dt.05/12/2015.

For Petitioner	: Mr.R.Sundar Srinivasan
For R1 & R2	: Mr.G.V.Vairam Santhosh
	Additional Government Pleader
For R3	: Mr.Rajagopal

ORDER

The petitioner with a grievance that the respondents have not paid the compensation amount for the petitioner's land, which was acquired for the formation of N.H.226 has filed this writ petition for a Mandamus, directing the respondents to pay the compensation amount within a time stipulated by this Court.

2.The learned counsel for the petitioner submits that compensation has not yet been paid for the land in S.No.260/4. He further submits that the patta for the land in S.No.260/4 has been wrongly entered in the name of one Palaniappa Chettiar,



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S/o Periyannan Chettiar. The petitioner claims that the land in S.No. 260/4 is in possession of the petitioner and he is cultivating in that land. Moreover, he is having the certificate issued by the Village Administrative Officer and other kist receipts.

3.The respondents have filed a counter affidavit that there is a dispute with regard to the land in S.No.460/4 to an extent of 200 sq.meters at Neivasal Village. However, they have admitted that the petitioner is entitled for compensation for the land in other three survey numbers, which were acquired from the petitioner. Therefore, this Court, by order dated 21.02.2023 directed the respondents to pay the compensation amount for the undisputed lands in S.Nos.260/2, 260/3 and 260/5.

4.Today(03.10.2023), when this writ petition is taken up for hearing, it is reported that compensation has been paid by the Department to the petitioner with regard to the acquired lands in S.No.260/2, 260/3 and 260/5. According to the learned Additional Government Pleader, the land in S.No.260/4 is in the name of one



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Palaniappa Chettiar, S/o Periyannan Chettiar. The petitioner is not having any document to prove that the petitioner is the owner of the land in S.No.260/4 and therefore, the respondents have not paid compensation to the petitioner pertaining to the land in S.No.260/4.

5.Considering the rival submissions made, this writ petition is disposed of with a direction to the petitioner to submit a fresh representation along with the documents, if any, to prove his possession. In such event, the first respondent shall consider the case of the petitioner claiming compensation for the land in S.No.260/4 and take a decision based on the available materials within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

03.10.2023

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



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B.PUGALENDHI, J.

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Order made in
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