



W.P.No.2501 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.2501 of 2024

K.Govindasamy

... Petitioner

Vs.

1. The District Collector and Arbitrator,
Collectorate, Dharmapuri – 636 705
Dharmapuri District.
2. The Competent Authority/
The Special District Revenue Officer ,
(Land Acquisition),
NH-844 (Hosur-Royakottai-Dharmapuri),
Ramasamy Gounder Street,
Oddapatti,
Dharmapuri – 636 705.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to forthwith refer the matter for enhancement of compensation under Section 20(1) of the Tamil Nadu Highways Act, 2001 in respect of Award No.Na.Ka.No.13/2018/LA dated 21.08.2023 passed by the second respondent for the petitioner's land and superstructure of extent 74 square



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meters (Shops AC) in New Survey No.336/B1D2, Patta No.239, Selliamatti Village, Palacode Taluk, Dharmapuri District.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus to refer the matter for enhancement of compensation in respect of Award No.Na.Ka.No.13/2018/LA, dated 21.08.2023 passed by the second respondent for the petitioner's land and superstructure of an extent of 74 square meters (Shops AC) in New Survey No.336/B1D2, Patta No.239, Selliamatti Village, Palacode Taluk, Dharmapuri District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.



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3. It is submitted by the learned counsel for the petitioner that the respondents have acquired the petitioner's land for the purpose of formation of a 4-way road in National Highway 844 (Hosur-Royakottai-Dharmapuri) and Award has also been passed on 21.08.2023, after completion of all the formalities/procedures. Since the petitioner is not satisfied with the quantum fixed by the second respondent, he made a representation on 19.09.2023 before the first respondent with regard to enhancement of compensation. Since there is no response from the respondents, the petitioner has filed the present writ petition.

4. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion on the merits of the case, this Court directs the second respondent to refer the said representation of petitioner afresh to the first respondent for necessary action within a period of 10 days from the date of receipt of a copy of this order. Thereafter, the first respondent is directed to issue notice to



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the petitioner, rival claimants/objectors/interested parties /adjacent land owners of the four boundaries of the subject land/ aggrieved parties if any, as the case may be and after issuing notice to all the parties, and after affording an opportunity of hearing to the petitioner and the said parties, as the case may be, dispose of the said representation of petitioner on merits and in accordance with law, within a period of 60 days from the date of receipt of the reference from the second respondent.

5. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

28.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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P.VELMURUGAN, J.

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