



W.P(MD)No.1110 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.1110 of 2022

and

W.M.P(MD)No.919 of 2022

Raja

... Petitioner

Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Revenue Divisional Officer,
Melur,
Office at Vellaripatti,
Madurai District.

3.The District Revenue Officer,
Madurai.

***(R.3 is suo motu impleaded vide
order of this Court dated 17.04.2024)***

.. Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records of the first respondent relating to Na.Ka.No.57067/2002/B5 dated 22.11.2021 under Section 13(1) Tamil Nadu National Highways Act, 2001 and quash the same.



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For Petitioner : Mr.J.Senthil Kumar
For Respondents : Mr.T.Villavan Kothai
Additional Government Pleader

ORDER

Heard both sides.

2.The case of the petitioner is that the petition mentioned lands were acquired way back in the year 2003 itself and that compensation has not been paid till date. The cause of action for filing this writ petition is issuance of notice under Section 13(1) of the Tamil Nadu Highways Act, 2001 on 22.11.2021. The petitioner has been called upon to appear for enquiry before the Revenue Divisional Officer, Melur on 03.12.2021. The petitioner apprehends that the respondents may reckon the date for calculating the compensation as 22.11.2021.

3.This apprehension of the writ petitioner is utterly misplaced. If the petitioner's lands had been acquired long back, then obviously the respondents will have to pay compensation with interest from the date of dispossession. If compensation has not been already paid, the petitioner will have to be paid compensation as per the formula laid down in Central Act 30 of 2013.



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4.My attention is drawn to the order dated 02.12.2020 made in W.P(MD)No.17337 of 2020. A learned Judge of this Court at the instance of similarly placed individual had given a direction to the authorities to determine the compensation and dispose the same.

5.I am of the view that similar direction can be given in this case also. The District Revenue Officer, Madurai is directed to conclude the enquiry determine the compensation payable to the petitioner and disburse the same. This exercise shall be completed by the District Revenue Officer, Madurai within a period of eight weeks from the date of receipt of a copy of this order.

6.This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN,J.

MGA

To

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