

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 14.03.2024****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.6208 of 2024**

1. V.Karthi

2. V.Bharathi Kannan

... Petitioners

Vs.

1. The Special District Revenue Officer,
Land Acquisition and Management,
Madurai Collectorate, Madurai – 625 002.

2. The Special Tahsildar,
Land Acquisition and Management,
Upstairs of Highways Office,
Near Sub Collector's Office,
Dindigul – 624 001.

3. The Assistant Divisional Engineer,
Highways Projects Sub Division,
Dindigul – 624 001.

4. The Divisional Engineer(Highways),
Project Division,
No.118, Alagar Kovil Road,
Near Lotus Tank, Madurai – 625 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take up the application of the petitioners dated 10.11.2023 pending on his file and refer the same to the appropriate authority / Court as per Section 20 of the Tamil Nadu Highways Act 2001.



For Petitioner : Mr.S.I.Muthiah
For R-1 to R-4 : Mr.K.S.Selvaganesan,
Additional Government Pleader.

* * *

ORDER

Heard both sides.

2. The petition mentioned lands have been acquired under the provisions of Tamil Nadu Highways Act 2001. Award was passed on 16.10.2023 determining the quantum of compensation. The petitioner seeks enhancement. Section 20(1) of the Tamil Nadu Highways Act, 2001 reads as follows:-

“Any person aggrieved by the decision of the Collector, or the officer to whom the case was transferred, determining the amount may, within sixty days from the date of such decision, in so far as it affects him, by application to the Collector or the officer to whom the case was transferred, require that the matter be referred by him for the determination of the Court as defined in the Land Acquisition Act, 1894(Central Act 1 of 1894), and when any such application is made, the provisions of Part III of the said Act shall mutatis mutandis apply to further proceedings in respect thereof.”



3. The petitioner submitted his application on 10.11.2023. The statute contemplates that within sixty days reference has to be made. The first respondent is directed to make reference as contemplated in the statutory provisions immediately and without any delay. On such reference being made, it shall be taken on file and disposed of by the jurisdictional civil Court as expeditiously as possible.

4. With this direction to the first respondent, this writ petition stands allowed. No costs.

14.03.2024

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

To:

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