



W.A(MD)No.1498 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 03.09.2024**

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**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1498 of 2024  
and  
C.M.P(MD)No.11666 of 2024**

R.Rengasamy

... Appellant/Writ petitioner

-VS-

- 1.The Government of Tamil Nadu,  
Rep. by its Secretary to Government,  
Commercial Taxes and Registration Department,  
Secretariat, Fort St. George,  
Chennai – 600 009.
- 2.The Deputy Inspector-General of Registration,  
Madurai Region,  
Integrated Complex of Registration Department,  
TNAU Nagar, Rajakampeeram, Othakadai,  
Madurai – 625 107.
- 3.The District Collector,  
Thoothukudi District,  
Thoothukudi – 628101.
- 4.The District Registrar,  
Registration Department,  
Palayamkottai – 627 002,  
Tirunelveli District.
- 5.The District Revenue Officer,  
Thoothukudi District,  
Thoothukudi – 628 101.
- 6.The Deputy Director of Town and Country Planning,  
Thoothukudi District,  
51, West Car Street,



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Thoothukudi – 628002.

7.The Special Tahsildar(Land Acquisition),  
Thoothukudi Railway Gauge Doubling Unit.I,  
Taluk Office Premises,  
Kovilpatti - ^28501.

8.The Assistant Director(Panchayat),  
Collector's Office,  
Thoothukudi District,  
Thoothukudi - 628101. ... Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order dated 24.07.2024 made in W.P(MD)No.16905 of 2024.

For Appellant : Mr.A.V.Arun  
For Respondents : Mr.SRA.Ramachandran,  
Additional Government Pleader

### **JUDGMENT**

**[Judgment of the Court was made by R.SUBRAMANIAN, J.]**

Aggrieved by the order of the Writ Court, dated 24.07.2024 made in W.P(MD)No.16905 of 2024, the appellant/writ petitioner has filed this writ appeal.

**2.** The entire process adopted by the appellant is unwarranted. The lands of the appellant were acquired for the purpose of laying a railway line under the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. The Act contains a mechanism for determination of compensation under Section 7 of the Act. Section 8 of the said Act provides for a reference to a civil Court, in case the land owner does not accept the compensation as fixed by the District Collector. The provisions of Sections



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23 and 24 of the Land Acquisition Act (Act 1 of 1894) have been made applicable for determination of compensation. In such case, we do not see any need for determination under Section 47-AA of the Indian Stamp Act. Hence, the writ petition itself is unnecessary.

**3.** Mr.SRA.Ramachandran, learned Additional Government Pleader appearing for the respondents would submit that an award has been passed on 12.07.2024.

**4.** Mr.A.V.Arun, learned counsel appearing for the appellant would, however, submit that the award has not been served on the appellant.

**5.** It will be open to the appellant to seek a reference as required under Section 8(1) of 1997 Act. Once a request is made, the District Collector shall refer the matter to the jurisdictional Civil Court for determination in accordance with the provisions of Sections 23 and 24 of the Land Acquisition Act( Act 1 of 1894).

**6.** The writ appeal is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

**[R.S.M., J.] [L.V.G., J.]**  
**03.09.2024**



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NCC :Yes/No

Index :Yes/No

Internet:Yes

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**R.SUBRAMANIAN, J.**  
**and**  
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