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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3456 of 2025

Selvalakshmi

... Petitioner

Vs.

1.The District Registrar,
Tiruppur District,
Tiruppur.

2.The Land Acquisition Officer & District Revenue Officer,
Tiruppur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st Respondent to refer the petitioner's appeal for enhancement of compensation to civil court against the award No.7/2011 dated 30.08.2011 passed by the 2nd respondent herein by following the procedures contemplated under Tamil Nadu High Ways Act, 2001 and Land Acquisition Act, 1894.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.A.Selvendran
Special Government Pleader



ORDER

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This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to refer the petitioner's appeal seeking for enhancement of compensation to the Civil Court against Award No.7 of 2011 dated 30.08.2011, passed by the 2nd respondent.

2.Heard Mr.N.Ponraj, learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of respondents 1 & 2.

3.The case of the petitioner is that the subject property was acquired under the Tamil Nadu High Ways Act, 2001 for formation of bypass road to Dharapuram Town. During enquiry, the mother of the petitioner expressed consent for compensation, but objected regarding the quantum of compensation fixed. Thereafter, the 2nd respondent passed the Award dated 30.08.2011 by fixing a sum of Rs.8,68,546/-. After raising such an objection even during the enquiry, a separate representation was made on 15.11.2011 to refer the matter to the Civil Court for enhancement of compensation. Since the same was not acted upon, yet another representation was made on 30.12.2011. This was also not acted upon and hence,



the present writ petition has been filed before this Court.

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4. When this Court pointed out to the learned counsel for the petitioner as to why the petitioner had waited for such a long time to approach this Court, the learned counsel submitted that once the objection has been raised during enquiry, the respondents were duty bound to refer the matter to the Civil Court and it is not even necessary to file a separate application in that regard. That apart, a separate application was also filed in 2011 itself and the same was not considered. The learned counsel therefore submitted that the delay was not on the part of the petitioner and rather, the delay was only on the part of the respondents. The learned counsel also placed before this Court similar orders passed by this Court in W.P.No.35822 of 2024, dated 21.12.2024, pertaining to the adjacent land owners.

5. Taking into consideration the facts and circumstances of the case and considering the reasons assigned by the petitioner, there shall be a direction to the 1st respondent to refer the appeal made by the petitioner seeking for enhancement of compensation to the Civil Court against Award No.7 of 2011, dated 30.08.2011



N. ANAND VENKATESH, J.

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passed by the 2nd respondent, within a period of four weeks from the date of receipt of copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

04.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The District Registrar,
Tiruppur District,
Tiruppur.

2.The Land Acquisition Officer & District Revenue Officer,
Tiruppur.

W.P.No.3456 of 2025