



W.P.No.4058 of 2019

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4058 of 2019

N.Senthilvel

... Petitioner

Vs.

1. Union of India

Rep.by Secretary to Government Ministry of
Shipping Road Transport and Highways,
Transport Bhavan
1, Parliamentary Street,
New Delhi-110 001.

2. The Competent Authority and

Special District Revenue Officer (LA)(NH.7, 46, 47 & 66)
Salem-Krishnagiri Districts
Krishnagiri.

3.The Project Director,

NHAI, NH.7, 47&68 221-Sri Nagar Colony
Narasothipatty, Salem.

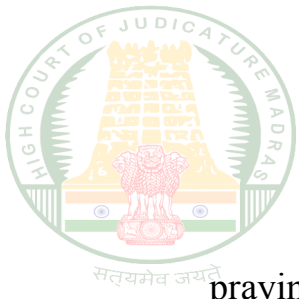
4. The Regional Officer, NHAI, Shri Tower,

III Floor, D.O.34(SP),
Industrial Estate,
Guindy, Chennai 600 032.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India

Page 1 of 6



W.P.No.4058 of 2019

praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records/ proceedings of the 2nd respondent culminating in his Memo-ROC 645 / 2017 (B1) dated 20.9.2017 quash the same and to direct the 2nd respondent to pay the additional market value under Sec.23(1) (a) solatium under sec.23(2) and interest under Sec.28 of the Land Acquisition Act, 1894 to the petitioner herein (about Rs.381746/-) together with accrued interest, etc, within a reasonable period that may be stipulated by this Court.

For Petitioner : Mr.B.Singaravelu

For Respondents: Mr.V.Ashok Kumar,
Central Government Standing Counsel
(for R1)
Mr.M.R.Gokul Krishnan,
Additional Government Pleader (for R2)
Mr.Su.Srinivasan (for R3 & R4)

ORDER

This writ petition has been filed challenging the proceedings of the second respondent dated 20.09.2017 and for a consequential direction to the second respondent to pay the additional market value, solatium and interest to the petitioner together with interest etc, within the time frame fixed by this Court.



W.P.No.4058 of 2019

WEB COPY

2. The learned counsel for the petitioner submitted that the issue involved in the present writ petition is covered by the earlier order passed by the learned Single Judge of this Court in a batch of writ petitions in WP.Nos.2989 of 2019 etc. dated 14.10.2022.

3. The learned counsel appearing on behalf of the National Highways Authority of India submitted that as against the order passed by the learned single Judge, appeals have been filed and the same is pending. The learned counsel further submitted that the petitioner will not be entitled for the payment of interest for the period of delay in approaching this Court. To substantiate the same, the learned counsel relied upon the judgment of the Apex Court in ***Executive Engineer, Nimna Dudhna Project .Vs. State of Maharashtra and Others*** reported in ***2020 3 SCC 255***.

4. In the considered view of this Court, if already an order has been passed in the batch of writ petitions and the relief has been granted, just because an appeal is pending, the same relief cannot be denied to the petitioner. In view of the same, this Court is inclined to follow the earlier



W.P.No.4058 of 2019

WEB COPY

order passed by the learned Single Judge of this Court in a batch of writ petitions in WP.Nos.2989 of 2019 etc. dated 14.10.2022.

5. In the light of the above discussion, there shall be a direction to the second respondent to pay the benefits under Sections 23(1A), 23(2) and the proviso to Section 28 of Land Acquisition Act, to the petitioner by extending the benefit which was granted by the Hon'ble Apex Court in the case of *Union of India and another .Vs. Tarsem Singh and Others* reported in *(2019) 9 SCC 304*, within a period of twelve weeks from the date of receipt of a copy of the order.

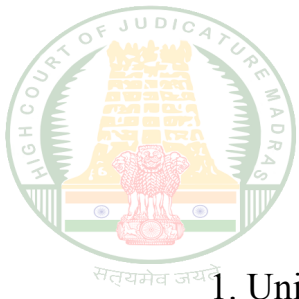
6. In the result, this writ petition is disposed of in the above directions. No costs.

11.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv

To

Page 4 of 6



W.P.No.4058 of 2019

1. Union of India
Rep.by Secretary to Government Ministry of
Shipping Road Transport and Highways,
Transport Bhavan
1, Parliamentary Street,
New Delhi-110 001.

2. The Competent Authority and
Special District Revenue Officer (LA)(NH.7, 46, 47 & 66)
Salem-Krishnagiri Districts
Krishnagiri.

3. The Project Director,
NHAI, NH.7, 47&68 221-Sri Nagar Colony
Narasothipatty, Salem.

4. The Regional Officer, NHAI, Shri Tower,
III Floor, D.O.34(SP),
Industrial Estate,
Guindy, Chennai 600 032.



WEB COPY



W.P.No.4058 of 2019

G.K.ILANTHIRAIYAN, J.

kv

W.P.No.4058 of 2019

11.09.2025