



W.P.No.9737 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2025

CORAM:

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

W.P.No.9737 of 2019

N.Ramamani

... Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tiruppur
2.The District Revenue Officer/
Land Acquisition Officer,
Tiruppur District,
Tiruppur

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the proceedings of the 2nd respondent made in Na.Ka.No.25156/2009/E2 dated 31.08.2018 and quash the same, consequently direct the second respondent to refer the matter to the Civil Court within a time fixed by this Court.

For Petitioner : Mr.S.Thirumavalavan

For Respondents : Mr.S.Rajesh,
Government Advocate



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ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 31.08.2018 thereby rejecting the request of the petitioner for reference to civil court for enhancement of compensation.

2. The land belongs to the petitioner was acquired for the purpose of laying Dharapuram by-pass under GO.Ms.No.287 Highways & and Small Ports Department dated 01.12.2008. Accordingly, 24.34 acres of lands including the land belongs to the petitioner were acquired in Dharapuram Village. The petitioner raised objections and demanded higher compensation before the second respondent during the time of award enquiry. However, without considering the objections raised by the petitioner, the second respondent proceeded with the enquiry and passed award dated 09.07.2012 in award No.2 of 2012 and fixed the value of agricultural land at Rs.5,515/- per are. After raising objections, the petitioner received the award amount. In fact, her objections were recorded by the second respondent in the award itself. When the petitioner made objections while receiving the award amount, there was



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no need to submit any separate application for reference before the civil court for enhancement of compensation amount. Thereafter, the petitioner's husband submitted detailed representation on 01.08.2018 seeking reference before the civil court for determining the exact value of the land acquired from the petitioner. It was forwarded to the respondents. However, the second respondent rejected the request made by the petitioner for the reason that the representation seeking determination of compensation was submitted belatedly i.e. beyond 60 days as contemplated under Section 20(1) of Tamilnadu Highways Act, 2001.

3. On perusal of the counter filed by the second respondent, it is revealed that after registering the statements recorded from the petitioner and other land owners, the second respondent passed awards. Accordingly, the value for the agricultural land was fixed as Rs.5,515/- per are by relying upon the market value of the data land selected from the sale particulars that occurred within 1.6 kilometer radius around the area for a period of one year and in accordance with the provisions of the



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Tamilnadu Highways Act, 2001 and its Rules. Even according to the second respondent, at the time of receiving the award amount, the petitioner raised objections. Therefore, objections were raised in respect of determination of compensation for the land which was acquired by the second respondent. Therefore, the second respondent ought to have referred before the reference court for determination of correct compensation. Therefore, it cannot be said that the petitioner submitted representation for seeking enhancement of compensation belatedly.

4. In view of the above discussion, the order impugned cannot be sustained. As such, the impugned order dated 31.08.2018 is set aside. The second respondent is directed to refer the matter to the reference court within the period of two weeks from the date of receipt of this order. Thereafter, the petitioner and the respondents are directed to submit their claim petition and counter, pursuant to which the reference court shall dispose of the said petition within a period of twelve weeks thereafter.



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5. With the above directions, this writ petition stands allowed.

There shall be no order as to costs.

26.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To
1.The District Collector,
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Tiruppur
2.The District Revenue Officer/
Land Acquisition Officer,
Tiruppur District,
Tiruppur
3.The Government Advocate,
High Court of Madras

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