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Writ Petition No.11485 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.11485 of 2025

K.Sellammal @ Selvi
W/o.Karuppasamy

... Petitioner

Vs.

1.The District Collector,
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 first respondent to refer the award No.7/2011 dated 30.08.2011 passed by the second respondent to civil Court for enhancement of compensation insofar as the petitioner's land is concerned acquired under Tamil Nadu Highways Act, 2001.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.P.Sathish

Additional Government Pleader

ORDER



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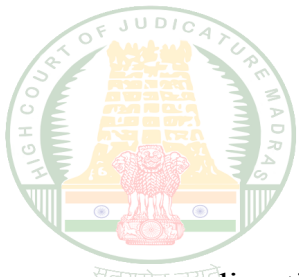
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This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to refer the petitioner's appeal seeking for enhancement of compensation to the Civil Court against Award No.7 of 2011 dated 30.08.2011, passed by the second 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.

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 second respondent passed the Award dated 30.08.2011 by fixing a sum of Rs.6,45,435/-. Hence, the

present writ petition has been filed before this Court seeking for appropriate



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direction.
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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. 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 first respondent to refer the appeal made by the petitioner

N. ANAND VENKATESH, J.



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seeking for enhancement of compensation to the Civil Court against Award No.7 of 2011, dated 30.08.2011 passed by the second respondent, within a period of four (4) weeks from the date of receipt of copy of this order.

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

08.04.2025

Index : Yes/No
Netural Citation: Yes/No
Speaking Order / Non Speaking Order
gm

To
1.The District Collector,
Tiruppur District, Tiruppur.

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

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