

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 11272 of 2025

1. GOVINDHAMMAL
W/o Late. Velusamy, Residing
At 159/165, Uppuduraipalayam
Kolinjivadi Post, Dharapuram
Taluk, Tiruppur District

2. DHARMARAJ
S/o Late. Velusamy, Residing At
159/165, Uppuduraipalayam
Kolinjivadi Post, Dharapuram
Taluk, Tiruppur District

3. JEGADEESAN
S/o Late. Velusamy, Residing At
159/165, Uppuduraipalayam
Kolinjivadi Post, Dharapuram
Taluk Tiruppur District

Petitioner(s)

Vs

1. The District Collector
Tiruppur District, Tiruppur

2. The Land Acquisition Officer
And District Revenue Officer
Tiruppur

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for



issuance of writ of Mandamus directing the 1st Respondent to refer the award No 7/2011 dated 30.08.2011 passed by the 2nd respondent to Civil Court for enhancement of compensation so far as the petitioners' land is concerned acquired under the Tamil Nadu High Ways Act 2001 and pass such further or other orders.

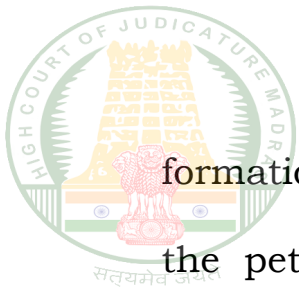
For Petitioner(s): Mr. N.Ponraj
For Mr.A.Selvendran, Special
Respondent[s]: Government Pleader

ORDER

This writ petition has been filed for the 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 petitioners and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of respondents 1 & 2.

3.The case of the petitioners 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 petitioners 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.90,308/- as compensation for the 1st petitioner and a sum of Rs.90,307/- was fixed as compensation to the other petitioners share in the property. After raising such an objection even during the enquiry, requested the respondents to refer the matter to the Civil Court for enhancement of compensation. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. When this Court pointed out to the learned counsel for the petitioners as to why the petitioners 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 petitioners 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.

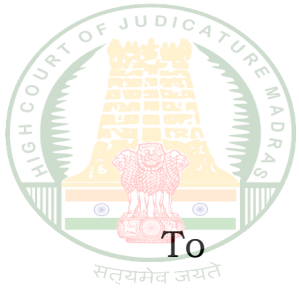
5.Taking into consideration the facts and circumstances of the case and considering the reasons assigned by the petitioners, there shall be a direction to the 1st respondent to refer the appeal made by the petitioners seeking for enhancement of compensation to the Civil Court against Award No.7 of 2011,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

07-04-2025

rka
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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To

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Tiruppur District, Tiruppur

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Tiruppur



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N.ANAND VENKATESH J.
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