



Writ Petition No.13841 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13841 of 2025

and

W.M.P.No.15546 of 2025

A.Rajamanickam
S/o.Arumuga Achari, Thoppur
Canteen, Upparappatti Kattuvalavu,
Vellar Village, Thoppur Post,
Mettur Taluk,
Salem District-636 352

Petitioner

Vs

1. The Aribitrator Cum District Collector
Salem District, Salem-1.
- 2.The Special District Revenue
Officer(land Acquisition)
National Highways No.7, 46, 47, And
66), Salem, Dharmapuri And Krishnagiri
Districts, Krishnagiri, Krishnagiri
District.
- 3.The District Revenue Officer
Salem District, Salem-1.
- 4.The Revenue Divisional Officer
Mettur Division, Mettur Dam, Mettur
Taluk, Salem District
- 5.The Special Thasildar(land Acquisition)



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National Highways-unit II, Salem, Salem District.

6.The Thasildar
Mettur Taluk Office, Mettur Dam, Salem District.

7.The Revenue Inspector,
Mecheri Firkka, Mecheri, Mettur Taluk, Salem District.

8.The Village Administrative Officer
Vellar Village, Vellar Post, Mettur Taluk, Salem District.

9.The Chief General Manager(Tech)
O/o.The Regional Office,
National Highways Authority of India,
Sri Tower, 3rd Floor, DP 34, Industrial Estate, Guindy, Chennai-600 032.

10.The General Manager/Project Director
O/o.The General Manager,
National Highways Authority Of India, Coimbatore.

11.The Deputy General Manager/Project Director
O/o.The Deputy General Manager,
Project Implementation Unit(piu)door No.212-3/D3,
Sri Nagar Colony, Narasothipatti, Salem-636 004.

Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus, call for the



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records pertaining to the impugned order made in Aa.Va.E-312883(M)Pala/RB(N.H.7) dated 22.10.2024 on the file of the 1st respondent and quash the same as illegal and consequently, direct the 1st respondent to modify the compensation as per the present market value to the land and building acquired from the petitioner vide Roc.No.511/2003(A) dated 20.10.2005 made by the 2nd respondent.

For Petitioner : Mr.G.Kesavan
For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 to R8
Mrs.S.R.Sumathy
Standing Counsel
for R9 to R11

ORDER

This writ petition has been filed challenging the impugned award passed by the first respondent dated 22.10.2024 and for a consequential direction to the first respondent to modify the compensation as per the present market value.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 8 and the learned Standing Counsel for the respondents 9 to 11.

3. The lands belonging to the petitioner was acquired by the National Highways Authority of India and compensation was fixed by



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the competent authority. Aggrieved by the same, the petitioner filed an appeal before the first respondent under Section 3G(5) of the National Highways Act, 1956. The first respondent, through the impugned award dated 22.10.2024 determined the compensation. The petitioner is aggrieved by the fact that the compensation was not based on the present market value. Hence, the present writ petition has been filed before this Court.

4. This Court has repeatedly held that the award passed under the National Highways Act, 1956 can be challenged only under Section 34 of the Arbitration and Conciliation Act, 1996 before the competent Court and that the writ jurisdiction can be invoked only in exceptional circumstances. Useful reference can be made to the latest judgment of this Court in ***Maillammal Vs. National Highways Authority of India and others*** reported in **2025 2 CTC 365**.

5. In view of the above, liberty is granted to the petitioner to approach the competent Court and to challenge the award passed by the first respondent dated 22.10.2024. Since the petitioner has spent time in questioning the award by filing the writ petition, limitation shall not be put against the petitioner, more particularly, considering the age of the petitioner and the petition to be filed by the petitioner challenging the



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award dated 22.10.2024 passed by the first respondent shall be dealt with on its own merits and in accordance with law by the concerned Court.

The petitioner shall file a petition before the concerned Principal District Judge, Salem, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, notice shall be issued to the National Highways Authority of India and after giving opportunity to both sides, final orders shall be passed within a period of three months thereafter. This direction is given considering the age of the petitioner, who is 87 years.

6. Registry is directed to return the original award dated 22.10.2024 to the learned counsel for the petitioner to enable the same to be filed before the concerned Court.

The Writ Petition is disposed of in the above terms. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

21.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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2. The Special District Revenue Officer(land
Acquisition)
National Highways No.7, 46, 47, And 66), Salem,
Dharmapuri And Krishnagiri Districts, Krishnagiri,
Krishnagiri District.
3. The District Revenue Officer
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4. The Revenue Divisional Officer
Mettur Division, Mettur Dam, Mettur Taluk,
Salem District
5. The Special Thasildar(land Acquisition)
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N.ANAND VENKATESH, J

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