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W.A.Nos.1927 and 1928 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.06.2025

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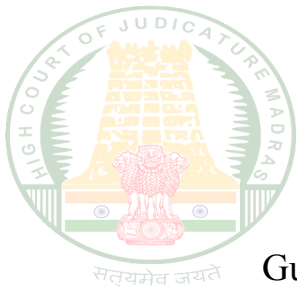
**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.A.Nos.1927 and 1928 of 2025

P.Prema ... Appellant in W.A.No.1927 of 2024
R.Pandurangan ... Appellant in W.A.No.1928 of 2024

Vs.

- 1.Union of India,
Rep by its Secretary,
Ministry of Home, Transport & Highways,
New Delhi.
- 2.The Authorized Officer cum,
Special District Revenue Officer,
National Highways No.5 (Acquisition),
Kancheepuram and Thiruvallur District,
Camp Office, Tahsildar Office,
Poonamallee.
- 3.The Project Director & Deputy
General Manager (Technic),
National Highway Authority of India,
8th Floor, Spic House,



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Guindy, Chennai-600 032.

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4.The Project Manager,
Larsen and Turbo Pvt. Ltd.,
Puduvaiyal, Thiruvallur District. ... Respondents in both W.As.

PRAYER: Writ Appeals are filed under Clause 15 of the Letters Patent against the order dated 22.01.2024 made in W.P.Nos.16230 and 16228 of 2011, respectively.

For Appellants : Mr.Ilamvazhuthi
in both W.As. for M/s.M.Krishna Moorthy

For Respondents : Mr.R.Rajesh Vivekanandan
in both W.As. Deputy Solicitor of India for R1

Mrs.S.Sumathy
Standing Counsel for R2 and R3

COMMON JUDGMENT

*(Judgment of the Court was delivered by **J.NISHA BANU, J.**)*

Since the issue involved in both the writ appeals are one and the same, they are disposed of by this Common Judgment. These writ appeals are filed challenging the common order dated 22.01.2024 passed in W.P.Nos.16228 and 16230 of 2011.



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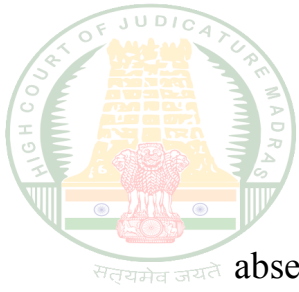
2.The writ petitioners are the appellants herein and they filed the aforesaid writ petitions challenging the acquisition proceedings on the ground that fair compensation has not been properly fixed based on the guideline value and the market value during the relevant period and further, the adjacent landowners were paid higher compensation without even filing an appeal, however the appellant have not been awarded fair compensation. The Writ Court, taking into consideration of the fact that the appellants / writ petitioners have not exhausted their appeal remedy before the District Collector, disposed of the writ petitions by granting liberty to the appellants to work out their remedy before the Appellate Authority by raising all their defence/grievances. Challenging the order of the Writ Court, the appellants are before this Court.

3. Heard the learned counsel for the parties and also perused the materials on record.



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4. The undisputed fact remains that the appellants/ writ petitioners are the owners of the subject lands and their lands were acquired by the Land Acquisition Officer and compensation was awarded. Challenging the award of compensation, the appellants filed writ petitions on certain grounds which were verbatim the same as raised in these appeal. It was rightly pointed out before the Writ Court on behalf of the respondents that without exhausting the appeal remedy, the appellants/writ petitioners have filed the writ petitions. Therefore, the Writ Court without going into the merits of the case, has disposed of the writ petitions by granting liberty to the appellants/writ petitioners to file appeal before the Appellate Authority / District Collector, within a period of 15 days from the date of receipt of the order. The Writ Court, in the order impugned, has also directed the appellate authority to take the appeal on file without insisting upon limitation and dispose of the appeal on merits and in accordance with law, after providing opportunities to the parties. However, without preferring any appeal as per the liberty granted by the Writ Court, the appellants have come up with the present writ appeals. This Court is of the view that in the



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absence of exhausting the appeal remedy, this Court cannot come to the aid of the appellants/writ petitioners and finds no merit in these writ appeals.

5. Accordingly, these Writ Appeals stand dismissed. No costs.

[J.N.B., J.] [M.J.R., J.]
30.06.2025

ASI

To

1.The Secretary,
Union of India,
Ministry of Home, Transport & Highways,
New Delhi.

2.The Authorized Officer cum,
Special District Revenue Officer,
National Highways No.5 (Acquisition),
Kancheepuram and Thiruvallur District,
Camp Office, Tahsildar Office,
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M. JOTHIRAMAN, J.
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3.The Project Director & Deputy
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8th Floor, Spic House,
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4.The Project Manager,
Larsen and Turbo Pvt. Ltd.,
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