



W.P.No.23238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.23238 of 2024

Vengatasamy

...Petitioner

Vs

1.Competent Authority and Special District
Revenue office (LA)
National Highways 948A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur, Krishnagiri District.

2.The Special Tahsildar (Land Acquisition)
National Highways No.948A STRR
Unit I, Hosur,
Krishnagiri District.

3.The Project Director (NH 948)
National Highways Authority of India
PIU – Bangaluru
SY.No.13, 14th km Nagasandra Tumkur NH4 Road,
Bangaluru – 560 073.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of



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India, pleased to issue Writ of Mandamus, directing the respondent authority to fix and pay the compensation based on settlement deed dated on 8.2.2010 document No. 1146/2010 and patta 1105 with regard to petitioner land in Survey No. 768/1A1A1, 768/1A1C in Moranapalli Village, Hosur Taluk, Krishnagiri district in order to implement the National Highways Project No.948A STRR to an total extent of 0.61 cents out of the larger extent of land to the tune of 2.55 hectare by following the procedure and section 26 to 30 contemplated under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Settlement Act 2013(Central Act 30 of 2013).

For Petitioner : M/s.R.Rameshraj

For Respondent : M/s.M.R.Gokul Krishnan
Additional Government Pleader
(For R1 & R2)
: M/s.S.R.Sumathy for R3
(No appearance)

ORDER

The Writ Petition has been filed for the following reliefs:-

To direct the respondent authority to fix and pay the compensation based on settlement deed dated on 8.2.2010 document No.1146/2010 and patta 1105 with regard to petitioner land in Survey No. 768/1A1A1, 768/1A1C in Moranapalli Village, Hosur Taluk, Krishnagiri district in order to implement the National Highways Project No.948A STRR to an total extent of 0.61 cents out of the larger extent of land to the tune of 2.55 hectare by following the procedure and section 26 to 30



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contemplated under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Settlement Act 2013(Central Act 30 of 2013).

2.It is the case of the petitioner that the petitioner and his brother own punja lands in S.No.768 measuring an extent of 61 cents out of an extent of 2.55 hectares in Moranapalli Village, Hosur Taluk, Krishnagiri District, which they had inherited from their father. The property was purchased by his parents namely father Venkadasamy and mother Pillaka between the years 1959 to 1979 under three registered sale deeds. After the demise of the father, the mother had executed a settlement deed dated 08.02.2010 in favour of the petitioner and his brother in respect of the lands in S.No.768 measuring an extent of 49 cents. The same was thereafter sub divided as survey Nos.768/1A1A1 and 768/1A1C. Joint patta was also issued to brothers.

3.The petitioner and his brother is carrying out agricultural



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activities on the said land and had also digging a open well measuring 50feet for the purpose of drawing water for agricultural activities. While so the second respondent had decided to notify the said lands for acquisition for the National Highway project in the year 2019. Pursuant to which the petitioner, his brother and other land owners were called for an enquiry by the second respondent vide summons dated 14.03.2023. The petitioner had appeared and submitted the documents before the authority concerned on 20.03.2023. The second respondent by issuing the summons had called the land owners for an enquiry to fix the compensation for the lands acquired. However, contrary to the summons no compensation was fixed and to-date the second respondent is yet to pass the award. A second summon was issued on 05.07.2024, calling upon the land owners to submit their records. Once again the petitioner had submitted a written reply along with all the necessary documents and the same has also not been considered. Aggrieved by the same, the petitioner is before this Court.

4.Heard Mr.Ramesh Raj, the learned counsel for the petitioner and Mr.Gokul Krishnan, the learned Additional Government Pleader for



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respondents 1 and 2 and M/s.S.R.Sumathi, the learned counsel for R3.

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5.From the records it is seen that the respondent had called the land owners for an enquiry on 14.03.2023 and once again on 10.07.2024. However, this enquiry has not been translated into an award/fixing of compensation. The second respondent has therefore not discharged the duties casted upon him. The land having been acquired. The land owners are entitled to compensation. Therefore, a mandamus is issued to the first respondent to fix the compensation within a period of four weeks from the date of receipt of copy of the order and thereafter take steps to disburse the amount to the petitioner concerned.

6.Accordingly, this Writ Petition is allowed with the above direction. No costs.

20.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep

P.T.ASHA, J,

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To

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