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W.P.No.23697 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.07.2025

**Coram:
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.No.23697 of 2025

K.Rajendran

...Petitioner

Versus

- 1.The District Collector,
Salem,
Salem District.
- 2.The Special District Revenue Officer (LA),
National Highways (Schemes),
Krishnagiri,
Krishnagiri District.
- 3.The Project Director,
National Highways Authority of India,
Project Implementation Unit,
Door No.212-3/D3-1,
Sri Nagar Colony,
Narasothipatti,
Salem – 636 004.

(R3 has been *suo motu* impleaded by this Court vide Order dated 02.07.2025)

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus directing the 1st respondent to



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consider and pass order on the Application dated 17.05.2025 made by the petitioner under Section 3G(5) of the National Highways Act, 1956 in order to fix the compensation of Rs.4,591.44 per Sq.ft to the land in Survey No.423/2A1A an extent of 710 Sq.mt and Survey No.423/2B1B1 an extent of 94 Sq.mt at Vellar Village, Mattur Taluk, Salem District.

For Petitioner	:	Mr.M.Elango
For Respondents – 1 & 2	:	Mr.A.Selvendran, Special Government Pleader
For Respondent – 3	:	Mr.SU.Srinivasan, Standing Counsel

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to direct the 1st respondent to consider and pass order on the Application dated 17.05.2025 made by the petitioner under Section 3G(5) of the National Highways Act, 1956 in order to fix the compensation of Rs.4,591.44 per Sq.ft to the land comprised in Survey Nos.423/2A1A & 423/2B1B1 measuring an extent of 710 Sq.mt and 94 Sq.mt respectively situated at Vellar Village, Mattur Taluk, Salem District.



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3. The learned counsel for petitioner submitted that petitioner's agricultural land comprised in Survey Nos.423/2A1A & 423/2B1B1 measuring an extent of 710 Sq.mt and 94 Sq.mt respectively situated at Vellar Village, Mattur Taluk, Salem District was acquired by the Government for the purpose of improvement and alignment of Thoppur Ghat Section in the Salem to Bangalore National Highway by way of Notification dated 09.03.2024 published under Section 3A(1) of the National Highways Act, 1956.

3.1. It is further submitted by learned counsel for petitioner that after conducting an enquiry, 2nd respondent vide Proceedings dated 24.02.2025 bearing Na.Ka.No.386/2025/A5 passed an Award, fixing the compensation at Rs.11,52,336/- for the acquisition of petitioner's land under Section 30(3) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3.2. The learned counsel for petitioner submitted that compensation fixed by 2nd respondent was lower than what the petitioner was entitled to, since the acquired land is located abutting the Salem-Bangalore National



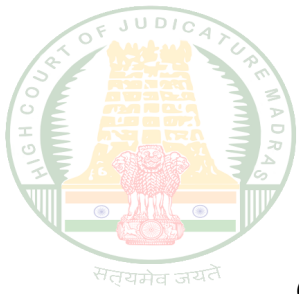
Highway and as high potential. It is also submitted that the 2nd respondent has fixed the aforesaid compensation without duly following the Rules/Provisions.

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3.3. It is further submitted by learned counsel for petitioner that aggrieved by the compensation fixed by 2nd respondent, petitioner made an Application dated 17.05.2025 under Section 3G(5) of the National Highways Act, 1956 before 1st respondent, requesting to fix the compensation at Rs.4,591.44/- per Sq.ft in respect of acquired land. Petitioner's Application was not considered by 1st respondent. Aggrieved by the same, present writ petition is filed.

4. The learned Special Government Pleader appearing for the respondents 1 & 2 submitted that the petitioner's Application dated 17.05.2025 would be considered and appropriate orders would be passed by 1st respondent, within a time frame to be fixed by this Court.

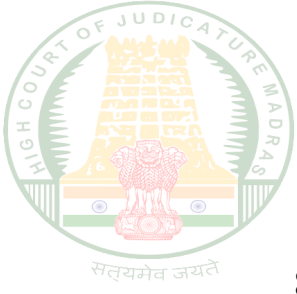
5. The above submission made by the learned Special Government Pleader has been fairly conceded by learned counsel for petitioner.



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6. The Project Director, National Highways Authority of India, Project Implementation Unit, Door No.212-3/D3-1, Sri Nagar Colony, Narasothipatti, Salem – 636 004 is the necessary party to be impleaded in this writ petition. Hence, this Court *suo motu* impleads the Project Director, National Highways Authority of India, Project Implementation Unit, Door No.212-3/D3-1, Sri Nagar Colony, Narasothipatti, Salem – 636 004 as 3rd respondent in this writ petition.

7. Considering the submissions made by the learned counsel on both sides, this Court directs the 1st respondent to consider the petitioner's Application dated 17.05.2025 and pass appropriate orders, after issuing notice to the petitioner and 3rd respondent, within a period of twelve weeks from the date of uploading of the web copy of this order without waiting for the receipt of certified copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the 1st respondent to consider the matter and pass orders, on its own merits and in accordance with law.



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costs.

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8. This Writ Petition stands disposed of with the above direction. No

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

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Salem,
Salem District.
- 2.The Special District Revenue Officer (LA),
National Highways (Schemes),
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Krishnagiri District.
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MOHAMMED SHAFFIQ, J.

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