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W.P.No.23766 of 20_

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.07.2025

Coram:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23766 of 2025

K.Rajendran

...Petitioner

Versus

- 1.The District Collector,
Dharmapuri,
Dharmapuri District.
- 2.The Competent Authority and
District Revenue Officer (LA),
National Highways No.44,
Dharmapuri,
Dharmapuri 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



W.P.No.23766 of 20__

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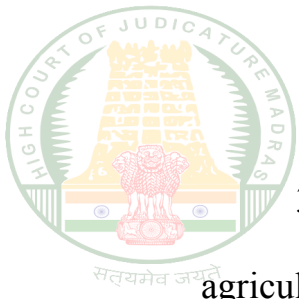
Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 1st respondent to consider and pass order on the application dated 17.05.2025 made by the petitioner under Section 3G(5) of the National Highways Act, 1956 in order to fix the compensation of Rs.4,591.44/- per sq.ft to the land in Survey No.353/2B1A2 an extent of 41 Sq.mt at Thoppur Village, Nallampalli Taluk.

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 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 at Rs.4,591.44/- per sq.ft to the land comprised in Survey No.353/2B1A2 measuring an extent of 41 Sq.mt situated at Thoppur Village, Nallampalli Taluk.

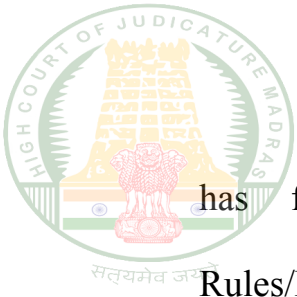


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3. The learned counsel for petitioner submitted that the petitioner's agricultural land comprised in Survey No.353/2B1A2 measuring an extent of 41 Sq.mt situated at Thoppur Kanikarahalli Village, Nallampalli Taluk, Dharmapuri District was acquired by the Government for public purpose of improvement and alignment of Thoppur Ghat Section in the Salem to Bangalore National Highway by way of Notification dated 12.10.2024 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 award enquiry, 2nd respondent vide Proceedings dated 28.02.2025 bearing Roc.No.14713/2023/B1 passed an Award, fixing the compensation at Rs.4,56,900.30/- 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 to the Salem to Bangalore National Highway with potential. It is also submitted that the 2nd respondent



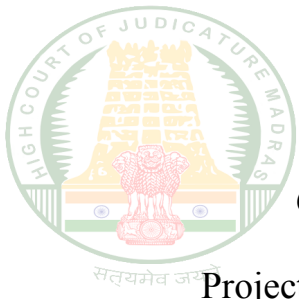
has fixed the aforesaid compensation without complying with Rules/Provisions.

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3.3. 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 with regard to acquired land, but, the petitioner's Application was not considered by 1st respondent. Hence, this writ petition has been filed by the petitioner.

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 above facts and circumstances of the case and having regard to 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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8. This Writ Petition stands disposed of with the above direction. No

costs.

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

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MOHAMMED SHAFFIQ, J.

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