



W.P.No.26394 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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W.M.P.Nos.25755 & 25756 of 2019

1. K.Arumugam
2. S.Ramachandran
3. Selvam
4. S.Ganesan
5. Kulandaisamy
6. M.Indra Devi
7. Govindarajan
8. Rajendran
9. B.Kumar
10. P.Elango
11. Singaravelu
12. K.S.Sekar
13. M.Sulthanul Arifeen
14. Chinnarajan
15. Karthikeyan
16. Adhimurugan
17. Jamunadevi
18. Suguna
19. Padma
20. Geeson
21. Mariappan
22. Venkitasalam
23. Dhanalakshmi
24. T.Nagarajan
25. Bakthavathsalam
26. Mohan
27. Karunanithi
28. Dharuman
29. Vimala
30. Anandaraj



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31. Jayaraman
32. Jayabal
33. T.Swaminathan
34. Krishnaveni
35. Menaga
36. Ravi
37. Vimala
38. Karthikeyan
39. Ramadoss
40. Meera
41. Margaret
42. Rajendran
43. Suganthi
44. Shanmugasundaram
45. Shagul Hameed
46. Lourdu Mary

...Petitioners

-Vs-

1. National Highways Authority of India (NHAI)
Rep. By its Chairman,
No.G-5 & 6, Sector-10, Dwarka,
New Delhi – 110 075.

2. Project Director,
National Highways Authority of India (NHAI)
Ministry of Road Transport & Highways,
No.19, Govindasamy Nagar,
Vazhudha Reddy Post,
Villupuram – 605 401.

3. The Competent Authority,
District Revenue Officer (Land Acquisition),
Nagapatinam.

4. The District Collector,
Collectorate,
Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorari, calling for the impugned notification
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dated 09.07.2016, published in “Daily Thanthi” issued under Section 3D and 3G(3) of the National Highways Act 1956 (48/1956) by the third respondent in respect of the acquisition of lands for formation of four line, maintenance, management and operation of National Highway No.45-A in the stretch of land from Km 108.860 to Km 153.100, Km 166.950 to km 183.600 connecting Villupuram and Nagapattinam through Puducherry and Cuddalore in the District of Nagapattinam and quash the same as illegal and unconstitutional insofar as the petitioners’ lands situate in Adanapettai Village, Nagapattinam District are concerned.

For Petitioners : Mr.S.Giritharan

For Respondents

For R1 & R2 : Mrs.S.R.Sumathy

For R3 & R4 : Mr.M.R.Gokulkrishnan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the notification dated 09.07.2016, published in “Daily Thanthi” issued under Section 3D and 3G(3) of the National Highways Act, 1956 (48/1956) by the third respondent in respect of the acquisition of lands for formation of four line, maintenance, management and operation of National Highway No.45-A in the stretch of land from Km 108.860 to Km 153.100, Km 166.950 to km 183.600 connecting Villupuram and Nagapattinam through Puducherry and Cuddalore in the District of Nagapattinam and quash the same as illegal and unconstitutional insofar as the petitioners’ lands



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situated in Adanapettai Village, Nagapattinam District are concerned.

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2. The lands owned by the petitioners were acquired for public purpose from various villages including Andanapettai Village for the construction and widening of NH-45A from Villupuram to Nagapattinam. The village comes under package IV four laning of Sattanathapuram to Nagapattinam section of NH45A in the stretch from Km 123.800 to Km 179.555 in the State of Tamil Nadu & Union Territory of Puducherry. Now the petitioners filed this Writ Petition challenging the notification issued under Section 3D & 3G(3) of the National Highways Act 1956 (hereinafter referred to as “the NH Act”).

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On perusal of the records, it is revealed that after acquisition, all the petitioners had received their compensation along with multiplication factor 100% solarium and additional market value at the rate of 12% per annum etc., as per Sections 26, 28, 29 & 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the



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New Act”). The subject lands had been acquired under the provisions of the NH Act, for the public purpose. The NH Act has been exempted from the other provisions of the New Act by virtue of Section 105 of the New Act and the Fourth Schedule of the New Act, except the relevant provisions of the compensation prescribed under the First Schedule.

5. Further, after receipt of the compensation, all the petitioners had preferred arbitration applications before the statutory Arbitrator viz., the District Collector, Nagapattinam, the fourth respondent herein, under Section 3G(5) of the NH Act. The fourth respondent has ordered the enhancement of land value fixed from Rs.200.55 to Rs.2063.00 & Rs.2155 per sq.mt to the wet lands, Rs.540.15/- sq.mt., to Rs.2544/- sq.mt., to the dry lands and Rs. 1942.20 sq.mt., to Rs.2589/- sq.mt., to the house plots respectively. The second respondent complied with the arbitration award and settled the amount to the petitioners. In fact, the petitioners had challenged the Arbitration Award before the learned Principal District Judge, Nagapattinam and the same was remanded back to fourth respondent and the fourth respondent enquired the same and passed orders. Therefore, challenging the notification issued under Section 3D and 3G(3) of NH Act does not arise after receipt of the enhanced compensation. Therefore, the prayer sought for in this Writ

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Petition cannot be granted and the Writ Petition is devoid of merits and is liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

22.10.2025
($\frac{1}{2}$)

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non Speaking order

rts



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To
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1. The Chairman,
National Highways Authority of India (NHAI)
No.G-5 & 6, Sector-10, Dwarka,
New Delhi – 110 075.

2. The Project Director,
National Highways Authority of India (NHAI)
Ministry of Road Transport & Highways,
No.19, Govindasamy Nagar,
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Villupuram – 605 401.

3. The Competent Authority,
District Revenue Officer (Land Acquisition),
Nagapatinam.

4. The District Collector,
Collectorate,
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G.K.ILANTHIRAIYAN. J.

rts

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22.10.2025
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