



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**W.A.No.1489 of 2023
and
C.M.P.No.14391 of 2023**

Mallika
W/o.Ramakrishnan

... Appellant

Vs.

1. Anusuya
W/o.Subramani
2. The Special District Revenue Officer
Land Acquisition
National Highways
Kancheepuram & Thiruvallur Districts
Kancheepuram.
3. The District Collector
Office of the District Collector
Chengalpattu District.

... Respondents

Prayer:

Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 05.10.2021 passed in W.P.No.21529 of 2017.

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For Appellant : Mr.S.M.S.Shriram Narayanan
of M/s.PV Law Associates

For Respondents : Mr.G.Ilamurugu, for R1
Mr.A.Selvendran
Special Government Pleader
for R2 & R3

J U D G M E N T

(Judgment of the Court delivered by S.M.SUBRAMANIAM)

The present intra-Court appeal has been instituted challenging the writ order dated 05.10.2021 in W.P.No.21529 of 2017.

2. The second respondent in the writ petition namely, Mallika is the writ appellant before this Court. The writ petition has been instituted by the first respondent (Anusuya) challenging the order passed by the District Revenue Officer dated 19.05.2017 stating that the appellant is the owner of the land acquired for National Highway Project. It is not in dispute between the parties that the subject lands were acquired for National Highway Project, an award was passed and the Land Acquisition proceedings came to an end. The dispute arose regarding receipt of



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compensation amount awarded for the lands acquired. The District Revenue Officer / Land Acquisition Officer, National Highways, passed an order stating that the writ appellant Mallika is entitled to receive the compensation since she has succeeded in the civil proceedings.

3. The fact remains that, one Kalavathy and Selvam, who are vendors of the first respondent (Anusaya) have filed a suit in O.S.No.1103 of 1993 on the file of the District Munsif Court, Tambaram, seeking for declaration of title and recovery of possession. The suit was decreed in favour of the vendors of the first respondent. The appellant herein, who is legal heir of the defendant in O.S.No.1103 of 1993 preferred an appeal suit in A.S.No.48 of 2001. The Additional Sub-Court, Chengalpet passed a judgment and decree on 24.03.2025 setting aside the judgment and decree passed in O.S.No.1103 of 1993 dated 21.01.1997. Therefore, the writ appellant became the title holder of the subject property acquired for National Highways Project. Based on the judgment and decree passed in appeal suit, the District Revenue Officer / Land Acquisition Officer passed an order in favour of the writ appellant.



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4. When the civil rights are already crystallized and the Court held that the writ appellant is entitled for the property, there is no reason for the writ Court to direct the District Revenue Officer / Land Acquisition Officer to conduct a fresh enquiry. Once the civil rights are decided between the parties and the competent Civil Court has passed a judgment and decree it would be unnecessary to direct the Land Acquisition Officer to conduct a fresh enquiry for the purpose of settling the compensation in respect of the lands acquired for National Highways Project. Since in the present case, the writ appellant succeeded in the appeal suit, no further adjudication from the hands of the District Revenue Officer would be required.

5. Mr.G.Ilamurugu, learned counsel for the first respondent would submit that a fresh suit has been instituted. If that be so, it is for the first respondent to pursue the same. However, mere pendency of the suit is not a bar for the authorities to settle the compensation in favour of the writ appellant. Accordingly, the respondents 2 and 3 are directed to settle the land acquisition compensation amount in favour of the appellant within a period of four weeks from the date of receipt of a copy of this order.



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Accordingly, the Writ Appeal stands allowed and the impugned order dated 05.10.2021 in W.P.No.21529 of 2017 is set aside. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[S.M.S., J.] [M.S.Q, J.]
17.09.2025

mk

Speaking

Index : Yes

Neutral Citation : Yes / No

To

1. The Special District Revenue Officer
Land Acquisition
National Highways
Kancheepuram & Thiruvallur Districts
Kancheepuram.
2. The District Collector
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S.M.SUBRAMANIAM, J.
and
MOHAMMED SHAFFIQ, J.

mk

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