



W.P.No.38465 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 13.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.38465 of 2025

S.Siddeshkumar

... Petitioner

Vs.

1. The Secretary To Government
Ministry Of Road Transport And Highways,
Government Of India, National Highways
Authority Of India G5 And 6, Sector 10,
Dwarka, New Delhi 110 075

2. The Arbitrator Cum District Collector
Collectorate Office, Dharmapuri District
Dharmapuri 636 705

3. The Land Acquisition Officer Cum
District Revenue Officer,
Collectorate, Dharmapuri 636 705

4. Competent Authority And
Special District Revenue Officer - Land Acquisition,
Nation Highways 844, (hosur - Royakottai Dharmapuri Section)
Dharmapuri 636 705

5. The Project Director (nh 844)
National Highways Authority Of India,
Piu - Krishnagiri,
259/1 Salem Main Road,
Near Kake Petrol Bunk,
Krishnagiri 635 001

... Respondents



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Prayer:
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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, Calling for the records of the order passed by the second Respondent dated 06.06.2025 in S.R 816/ 2022/ U2 and set aside the same and Mandamus directing the Second Respondent to fix the highest value amount the guideline and market value in accordance with Government orders vide G.O. M.2/ 7304 / 2018 dated 16.10.2020 and G.O.M.S. No 117 dated 18.03.2022

For Petitioner : Mr.N.Jayakumar

For Respondent : Mr.A.Poorna Chandran, CGC for R1
Mr.P.Sathish, AGP for R2, 3 & 4
Mrs.S.R.Sumathy, St.counsel for R5

ORDER

This writ petition has been filed challenging the order dated 06.06.2025 passed by the 2nd respondent.

2. Mr.A.Poorna Chandran, learned Central Government Counsel, takes notice on behalf of the 1st respondent, Mr.P.Sathish, learned Additional Government Pleader, takes notice on behalf of the



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respondents 2, 3 & 4 and Mrs.S.R.Sumathy, learned Standing counsel,

WEB COPY takes notice on behalf of the 5th respondent.

3. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

4. The learned counsel for the petitioner would submit that in this case, the petitioner's property was acquired by the respondent vide Notification dated 26.08.2019 for the purpose of expansion in NH 844. Thereafter, the compensation was fixed by the 4th respondent vide award dated 12.05.2022. Subsequently, an appeal was preferred by the petitioner for enhancement of compensation and the said appeal was disposed of by the 2nd respondent, vide award dated 06.06.2025. While determining the compensation in the said appeal award, the 2nd respondent had failed to adopt the proper guideline value of the subject property.



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5. Further, he would contend that while determining the compensation, the 2nd respondent had not followed the procedure laid down in The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Hence, he requests this Court to set aside award dated 06.06.2025.

6. In reply, the learned Additional Government Pleader appearing for the respondents would submit that in the event, if there is any procedural error in fixing the guideline and market value for the purpose of determining the compensation, the petitioner can very well challenge the same before the District Court in terms of Section 34 of Arbitration and Conciliation Act, 1994. Without doing so, it is not proper for the petitioner to approach this Court by way of the present petition. Hence, he requests this Court to pass appropriate orders.

7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and also perused the materials available on record.



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8. In the case on hand, initially, the petitioner's property was acquired by the respondent vide Notification dated 26.08.2019 for the purpose of expansion in NH 844. Thereafter, the compensation was fixed by the 4th respondent vide award dated 12.05.2022, against which an appeal was preferred by the petitioner for enhancement of compensation and the said appeal was disposed of by the 2nd respondent, vide impugned order dated 06.06.2025.

9. According to the petitioner, while determining the compensation in the impugned order, the 2nd respondent had neither adopted the guideline value of the subject property nor followed the procedure laid down in The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

10. On the other hand, as rightly contended by the learned Additional Government Pleader, in the event, if there is any procedural lapse in fixing the guideline and market value while determining the



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compensation for the petitioner's land, the right course available to the petitioner is to agitate the same before the concerned District Court.

11. In view of the above, this Court is not inclined to entertain this petition and accordingly, this writ petition is dismissed by granting liberty to the petitioner to challenge the impugned order dated 06.06.2025 before the concerned District Court within a period of 30 days from the date of receipt of a copy of this order. No cost.

13.10.2025

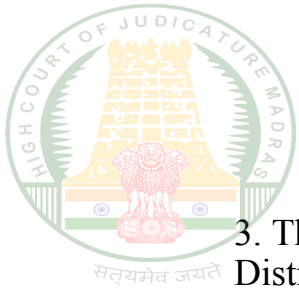
Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
nsa

To

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KRISHNAN RAMASAMY.J.,

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