



WEB COPY



W.P.No.37302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.37302 of 2025
& WMP.No.41782 of 2025

R.Kuppusamy

... Petitioner

Vs.

1. The State Of Tamilnadu
Rep. By Secretary To The Government,
Department Of Highways,
Fort St. George, Chennai-600 009.

2. Special Divisional Revenue Officer-Ia
Mrte Road Sh-79,
(by Pass Road Tiruchengode)
Salem Collectorate, Salem-636 001

3. The District Collector
Tiruchengode Road,
Namakkal District,
Namakkal 637 003.

4. Special Tasildhar
Land Acquisition Officer
(by Pass Road Tiruchengode)
Namakkal Collectorate,
Tiruchengode Road,
Namakkal-637 003.

... 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 Mandamus, to direct the respondents to pass an award, under the Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act 2013 with regard to land in Survey No.30/3A1B measuring an extent of 437 sq.metrer situated at Elayampalayam Village, Thiruchengode Taluk, Namakkal District fixing land value for sum of Rs.22,91,685.00/- without 1/3rd amount deduction for development charge.

For Petitioner : Dr.M.Devendran

For Respondent : Mr.P.Sathish, AGP

ORDER

This writ petition has been filed to direct the respondents to pass an award, under the Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act 2013 with regard to subject land.

2. Mr.P.Sathish, learned Additional Government Pleader, takes notice on behalf of the respondents.



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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, initially, the respondents had initiated the land acquisition proceedings with regard to the subject land for forming By-Pass road. In this regard, 2nd respondent had issued a notice dated 02.07.2025 under Section 19(5) of Tamil Nadu Highways Act, 2001 to the petitioner for submitting objections. Subsequently, though an objection was filed by the petitioner, later he has agreed to receive the award amount under protest based on the promise made by the respondent that they will not deduct 1/3rd amount from land value for developing charges. Under these circumstances, now, the respondent orally called for an enquiry and stated that the land value will be fixed only after deducting 1/3rd amount. In this regard, the petitioner had filed a representation dated 08.09.2025, requesting the respondents not to deduct any amount from the land value. However, the said representation was not considered by the respondents till date. Hence, this petition.



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5. In reply, the learned Additional Government Pleader appearing for the respondent would submit that the representation filed by the petitioner will be considered and appropriate orders will be passed within a period of 4 weeks.

6. 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.

7. In the case on hand, the 2nd respondent had issued a notice dated 02.07.2025 under Section 19(5) of Tamil Nadu Highways Act, 2001 to the petitioner for acquiring the subject land. According to the petitioner, he has agreed to receive the award amount only based on the promise made by the respondent that they will not deduct 1/3rd amount from land value for developing charges. However, it was submitted that now, the respondent has orally called for an enquiry and stated that the land value will be fixed only after deducting 1/3rd amount. Thereafter, the petitioner



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had filed a representation dated 08.09.2025, requesting the respondents not to deduct any amount from the land value. However, the said representation was not considered by the respondents till date.

8. In view of the above, this Court directs the respondents to consider and dispose of the petitioner's representation dated 08.09.2025, on merits and in accordance with law, after affording sufficient opportunities to the petitioner, within a period of 4 weeks from the date of receipt of a copy of this order.

9. With the above directions, this writ petition is disposed of. No cost. Consequently, the connected miscellaneous petition is also closed.

06.10.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa



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KRISHNAN RAMASAMY.J.,

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