



W.P.No.40080 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.40080 of 2024

V.Suresh

... Petitioner

Vs.

1.The Special District Revenue,
Officer (Land Acquisition),
Chennai Kanyakumari Industrial Corridor,
Collectorate Campus,
Kancheepuram 631 501.

2.The District Collector, Chengalpet
(Sou Motu impleaded by this Court)

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondent herein to refer the matter to a competent Civil Court for determining just compensation under section 20 of the Tamil Nadu Highways Act, 2001 for the lands measuring 00045 square meters in S.F.No.1106/ 2B1B and S.F.No.1106 / 3B1 A1, situate in Athur



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Village, Chengalpattu Taluk and District acquired from the petitioner,
with in a stipulated period.

For Petitioner : M/s.K.Govi Ganesan

For Respondents : M/s.A.Selvendran, Spl.GP
for R.1 & R.2

: (R.2 Sou motu impleaded.)

ORDER

Aggrieved by the meagre compensation granted in respect of the petitioner's property acquired for the expansion of the Chengalpattu - Kanchipuram Road, the petitioner requested the respondent to refer the matter to the competent authority as provided under Section 20 of the Tamil Nadu Highways Act, 2001 by representation dated 30.08.2023. However, the reference has not been made to date. Therefore, the petitioner is before this Court.

2. Heard the counsels on either side.

3. Section 20 of the Tamil Nadu Highways Act, 2001 would



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read as follows:-

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"20. Reference to Court.

(1) Any person aggrieved by the decision of the Collector, or the officer to whom the case was transferred, determining the amount may, within sixty days from the date of such decision, in so far as it affects him, by application to the Collector or the officer to whom the case was transferred, require that the matter be referred by him for the determination of the Court as defined in the Land Acquisition Act, 1894 (Central Act I of 1894), and when any such application is made, the provisions of Part III of the said Act shall mutatis mutandis apply to further proceedings in respect thereof.

(2) The decision of the Court on such reference and subject only to such decision, the decision of the Collector determining the amount shall be final."

4. A reading of the above would clearly indicate that once a



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request for enhancing compensation is made, the authority has to refer the claim to the jurisdictional Civil Court.

5. Therefore, considering the above factors and taking note of the fact that a representation has been made as early as on 30.08.2023, the Writ Petition is allowed and a mandamus is issued to the 2nd respondent to refer the petitioner's claim to the concerned Civil Court within a period of 2 months from the date of receipt of a copy of this order. No costs.

07.01.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Special District Revenue,
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2.The District Collector, Chengalpet

P.T. ASHA. J.,



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