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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2025

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.1339 of 2024
and
W.M.P(MD)No.1378 of 2024

V.Subramanian

...Petitioner

Vs

1. The District Collector,
Collectorate,
Madurai – 625 020.
2. The Project Director,
National Highway Authority,
Plot No.3, Sooria Niwas 2nd Floor,
First East Street, K.K.Nagar, Madurai - 625 020.
3. The Authorized Officer-Cum-Special District Revenue
Officer, Land Acquisition,
National Highway-744a,
No.5B, Baskar Complex, Besent Road,
Madurai - 625 002.
- 4.The Special Tahsildar,
Land Acquisition,
National Highway-744A,
Unit 3, Surveyor Colony,
Madurai - 625 007.
5. The Tahsildar,
Madurai North Taluk Office,
Collectorate Campus,
Madurai – 625 020.



6. The District Registrar,
O/o. the District Registrar (Registration),
Integrated Registration Complex,
Thirumogur Road,
Y.Othakadai, Madurai.

7. The Sub-Registrar,
Chokkikulam Sub-Registration Office,
Integrated Registration Complex,
Thirumogur Road, Y.Othakadai, Madurai.

8.A.S.Riyas

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the 3rd respondent in Na.Ka.No.A1/26-60/2018 dated 09.03.2023 and quash the same and consequently direct the Respondents 1 to 7 to sanction the entire award amount in favor of petitioner with interest by cancelling the sale deed executed by the petitioner in favour of 8th Respondent in document No.651 of 2019 on the file of the Sub Registrar office, Chokkikulam, Madurai dated 06.02.2019.

For Petitioner : M/s.M.Kumar

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1, R3 to R7
Mr.P.Karthick for R2
Mr.K.Jeyamohan for R8

ORDER

An order granting compensation to the 8th respondent in respect of acquisition proceedings under the National Highways Act is challenged in this writ petition.



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2. The Petitioner had purchased agricultural land in S.No.27/1 A in Usilampatti Village under sale deed bearing document No.295 of 2005. After the publication of a notification dated 19.04.2018 for, *inter alia*, the acquisition of the petitioner's land, the petitioner sold the said land to the 8th respondent under sale deed dated 06.02.2019. According to the petitioner, the 8th respondent purchased the land on condition that the compensation for land acquisition would be paid to the petitioner and not retained by the 8th respondent. On the ground that such condition was breached, the petitioner assails the order impugned herein.

3. Learned counsel for the 8th respondent submits that the writ petition is not maintainable. She submits that the land was admittedly sold to the 8th respondent by the petitioner and the revenue records had been mutated in the name of the 8th respondent.

4. The agreed position is that the petitioner sold the land earlier owned by him to the 8th respondent under sale deed dated 06.02.2019. Because the 8th respondent had mutated the patta in his name, the 8th respondent was heard in the course of acquisition proceedings and compensation has been awarded to the 8th respondent. The case of the petitioner appears to be that there was an



understanding between the petitioner and the 8th respondent that the compensation would be paid to the petitioner and not to the 8th respondent. In such event, the remedy for the petitioner is to approach the jurisdictional civil court to claim damages against the 8th respondent. The present writ petition is not maintainable in these facts and circumstances.

5. For reasons set out above, this writ petition is dismissed without any order as to costs by leaving it open to the petitioner to approach the jurisdictional civil court for relief against the 8th respondent. No costs. Consequently, connected writ miscellaneous petition is also closed.

28.10.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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