



W.P(MD)NO.1778 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :11.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.1778 of 2022

M.Saravanan

... Petitioner

.Vs.

1.The District Collector,
Madurai,
Madurai District.

2.The Special Tahsildar(Land Acquisition),
Madurai Airport Extension Unit -II,
Old Ramanathapuram -Madurai Collector Office Building,
Madurai,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pass an award for the compensation of the Petitioner's swelling house in S.No.286/3B in Door No. 3/402A situated at Perungudi Village, Madurai District as per the 2018 guideline value of the Tamil Nadu Government based on the Petitioner's representation, dated 20.12.2021 within the time frame fixed by this Court.

For Petitioner

: Mr.A.C.Asaithambi



WEB COPY



W.P(MD)NO.1778 of 2022

For Respondents : Mr.D.Sasikumar
Addl.Govt. Pleader

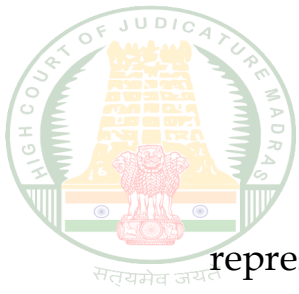
For R3 : No appearance

ORDER

The Writ Petition is filed seeking a direction to the respondents to pass an award fixing the compensation for the dwelling house of the Petitioner in S.No.286/3B in Door No. 3/402A situated at Perungudi Village, Madurai District as per the 2018 guideline value of the Tamil Nadu Government by considering the Petitioner's representation, dated 20.12.2021.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.It is not in dispute that the subject property in S.No. 286/3B with an extent of 3 ares was acquired for the purpose of extension of Madurai Airport under Tamil Nadu Acquisition of Land for Industrial Purpose Act, 1997. It is the specific case of the Petitioner that in the subject property, there is a dwelling house with D.No.3/402A and the same was not taken into consideration by the competent authority at the time of fixing the quantum of compensation. Therefore, the Petitioner filed a

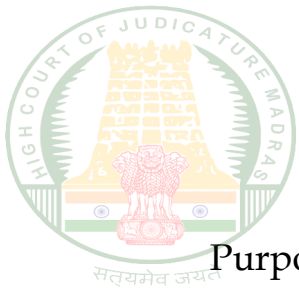


W.P(MD)NO.1778 of 2022

representation on 20.12.2021 seeking fixing of compensation in respect of the superstructure.

4.A perusal of 3(2) notice issued under the above Act would indicate that the subject property was described as Punja property. There was no reference about the existence of a building. The competent authority namely, the first respondent passed an award on 2.11.2021 fixing the quantum of compensation payable to the Petitioner's land in S.No.286/3B at Rs.1,87,900/-. The well situated in the subject property was also taken into consideration. If the Petitioner is aggrieved by the award on the ground that the alleged superstructure stands in the subject property was not taken into consideration, it is for him to seek reference under Section 8 of the above Act. In the case on hand, the Petitioner already submitted a representation on 20.12.2021 before the competent authority namely, the District Collector raising his objections regarding non-consideration of building that situated in the acquired land.

5.Therefore, this Court is inclined to direct the first respondent to consider the representation submitted by the Petitioner, dated 20.12.2021 as a request for reference under Section 8 of the Tamil Nadu Acquisition of Land for Industrial



W.P(MD)NO.1778 of 2022

WEB COPY

Purpose Act, 1997 and pass final orders for referring the matter to the competent civil Court within a period of four weeks from the date of receipt of a copy of this order. It is for the Petitioner to work out his remedy before the Reference Court, in the manner known to law.

6. With these directions, the Writ Petition stands disposed of. No costs.

11.07.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

To

1. The District Collector,
Madurai,
Madurai District.

2. The Special Tahsildar (Land Acquisition),
Madurai Airport Extension Unit -II,
Old Ramanathapuram - Madurai Collector Office Building,
Madurai,
Madurai District.



WEB COPY



W.P(MD)NO.1778 of 2022



WEB COPY



W.P(MD)NO.1778 of 2022

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

W.P(MD)No.1778 of 2022

11.07.2025