

W.P.(MD)No.3943 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **21.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.3943 of 2025

A.P.Rajendran

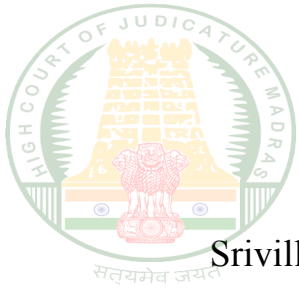
.... Petitioner

/Vs./

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Special District Revenue Officer,
Competent Authority for Land Acquisition,
National Highways – 744,
Virudhunagar District.
3. The Project Director,
National Highways Authority of India,
No.395/3-1, M.S.Road,
Majestic Colony, Near Ayyappan Koil,
Nagercoil – 629 003.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 04.01.2025 immediately and further directing them to fix the fair compensation to the petitioner's land comprised in Survey No.106/5A, situated in Attikulam Sengulam Village,



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Srivilliputhur Thaluk, Virudhunagar District as per the present market value for the demolition and acquisition made by them.

For Petitioner : M/s.Modharshini
For R1 & R2 : Mr.B.Saravanan
Additional Government Pleader
For R3 : Mr.Su.Srinivasan,
Standing Counsel

ORDER

The petitioner prays for a Writ of Mandamus to direct the respondents to pass orders on the petitioner's representation dated 04.01.2024 by fixing fair compensation for the lands acquired from the petitioner in Survey No.106/5A, Attikulam Sengulam Village, Srivilliputhur Taluk, Virudhunagar District.

2. I have heard the learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents 1 & 2 and Mr.Su.Srinivasan, learned Standing counsel appearing for the third respondent.



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WEB COPY 3. The respondents admits that an award has been passed and the lands have been acquired. However, in respect of additional lands acquired, further award is being passed and the petitioner's case for compensation under the two awards would be considered, on merits.

4. The petitioner shall appear before the second respondent with all relevant documents of title to establish the petitioner's entitlement for compensation. In the event of the petitioner being aggrieved by the award of compensation, it is open to the petitioner to take recourse to Section 3(G)(5) of the National Highways Act by seeking reference of claim of enhancement for arbitration before the District Collector. The petitioner shall produce all relevant documents before the second respondent, within a period of four weeks from the date of receipt of a copy of this order. On receipt of the documents, after affording an opportunity to the petitioner, the second respondent shall pass orders as the eligibility of the petitioner for the compensation. The same shall be without prejudice to the petitioner's claim for seeking enhancement.



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5. With the above direction, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No
am

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P.B. BALAJI, J.

am

Order made in
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