



W.P(MD)NO.4562 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.4562 of 2023

and

W.M.P(MD)No.4274 of 2023

M/s.Madurai Nagamalai Pudukkottai NGGO Residents
Hindu Nadar Uravin Murai
(Regn.NO.365/1993) through its
General Secretary N.Muruganantham. ... Petitioner

.Vs.

1.The Revenue Divisional Officer cum
Land Acquisition Officer/Competent Authority,
National Highways - 49, Extension(Madurai-Cochi)Road
Office of the Collectorate,
Madurai,
Madurai - 625 020.

2.G.Vetrivel

3.G.Kumaravel ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to take necessary action with regard to disbursement of the compensation/award amount deposited in respect of property in S.No.126/1A, situated at



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Nagamalai Pudukkottai Village, Madurai West Taluk, Madurai District in connection with the proceedings of the first respondent, dated 15.09.2022 in Ve.A.No.282/Se.Ma.Tho/Madurai 20, subject to the outcome of the suit in O.S.No.355 of 2019, on the file of IVth Additional District Court, Madurai by considering the Petitioner's representation, dated 29.11.2022 within the time frame stipulated by this Court.

For Petitioner : Mr.P.Mahendran

For Respondent-1 : M/s.K.Malathi
Addl.Govt. Pleader

For Respondent-2 : Mr.J.Barathan

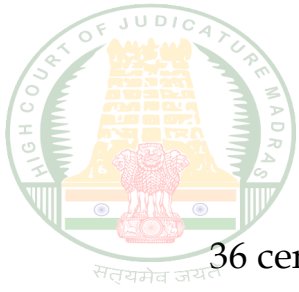
For Respondent-3 : Tapal returned

ORDER

The Writ Petition is filed seeking a direction to the first respondent to disburse the compensation amount in respect of the Petitioner's land acquired for expansion of National Highways in S.NO. S.No.126/1A, situated at Nagamalai Pudukkottai Village, Madurai West Taluk, Madurai District by considering the Petitioner's representation, dated 29.11.2022.

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

3.According to the Petitioner, the property with an extent of



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36 cents in S.No.126/1A belong to the Petitioner Uravinmurai. The above said property was acquired for expansion of National Highways by notification, dated 16.9.2022. The respondents 2 and 3 along with two others claimed themselves as representative of Nadar community residing at Nagamalai Pudukkottai and filed a civil suit in O.S.No.355 of 2019 seeking declaration that they are the absolute owners of the property in S.No.126/1A and for other reliefs. The Petitioner submitted a representation before the first respondent on 29.11.2022 requesting him not to disburse the compensation amount for the acquired land in favour of private respondents. The Petitioner also requested the first respondent to disburse compensation amount to him. The same has not been considered. Hence, the instant Writ Petition has been filed by the Petitioner seeking a direction to the first respondent to pay compensation amount to the Petitioner.

4. Even as per the case of the Petitioner, there is a civil suit pending between the Petitioner and private respondents with regard to the subject property. In such circumstances, there is a dispute with regard to the person entitled to claim compensation amount and accordingly, the first respondent cannot be directed to disburse the compensation at this stage.



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5. In view of the civil dispute between the Petitioner and private respondents, this Court is inclined to direct the first respondent to consider the request of the Petitioner under Section 3-H(4) of the National Highways Act and make a reference to the competent civil Court and deposit the compensation amount before the concerned Court within a period of eight weeks from the date of receipt of a copy of this order. Both parties are at liberty to work out their remedy before the competent Civil Court in the manner known to law. No costs. Consequently, connected Miscellaneous Petition is closed.

16.07.2025

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

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ORDER MADE IN

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