



W.P.(MD)No.7898 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.7898 of 2025

Munusamy

.... Petitioner

/Vs/

1. The District Collector
Karur District, Karur.

2. The Special Tahsildar
(Land Acquisition), National Highways (Nh.7),
District Collector Office Compound,
Karur - 7.

.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 20.10.2024 seeking enhancement of the compensation for the petitioner's land in New S.F.No.1063/9B Old S.F.No.154/2 to an extent of 41 sq meter of land situated at LNS Village, Karur Taluk, Karur District which was acquired by the 2nd respondent.

For Petitioner	: Mr.S.Gokulraj
For R1	: Mr.B.Saravanan Additional Government Pleader
For R2	: Mr.R.Rajagobal



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ORDER

The petitioner has prayed for issuance of a Writ of Mandamus to consider his representation for enhancement of compensation in respect of the petitioner's lands that have been acquired by the second respondent.

2. With the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal, at the admission stage.

3. I have heard the learned counsel appearing for the petitioner, B.Saravanan, learned Additional Government Pleader appearing for the first respondent and Mr.R.Rajagobal, learned counsel appearing for the second respondent.

4. Admittedly, the petitioner has received compensation amount determined by the competent authority, namely, the second respondent even in the year 2009. Thereafter, the petitioner has made a representation on 20.10.2024 objecting to meager amount of



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compensation awarded and claiming enhance compensation. The petitioner seeks disposal of the said representation seeking enhance compensation.

5. The learned counsel for the second respondent would submit that the application of the petitioner is highly belated and having received compensation in 2009, after 15 years, the petitioner is not entitled to seek enhancement.

6. However, the learned counsel for the petitioner would invite my attention to the two decisions of this Court in ***W.P.No.16103 of 2019*** in the case of ***T.S.Sivakumar vs. The District Collector and two others***, where, this Court, relying on the Division Bench Judgment in ***W.A.No. 308 to 312 of 2016, dated 25.04.2018***, where it is held that Article 137 of the Limitation Act was not applicable to arbitration proceedings under National Highways Act, more specifically, Section 3-G(5). However, the learned Single Judge of this Court finding that the said judgment of the Division Bench has been stayed by the Hon'ble Supreme Court in C.A.No.010355/2024 and that the SLP is still pending, this Court



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directed the representation of the petitioner therein to be considered subject to the final out come of the judgment of the Hon'ble Supreme Court in C.A.No.010344 of 2024.

7. In view of the above admitted position, I am inclined to follow the earlier order of this Court directing the authorities to consider the petitioner's representation dated 20.10.2024 subject to the final outcome of Civil Appeal No.010355/2024 pending before the Hon'ble Supreme Court in the case of *Project Director vs. V.R.P.Muralikrishnan and others*.

8. 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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