



W.P.(MD)No.8486 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8486 of 2025

and

W.M.P.(MD)Nos.6335 & 6337 of 2025

1.G.Saraswathi

2.G.Nirubhan Chakkaravarthy

3.G.Sivaram

: Petitioners

Vs.

1.The District Collector,
Collector Office, Tuticorin,
Tuticorin – 628 101.

2.The Special Tahsildar,
Two-lane wide road Project unit-1,
Kovilpatti.

3.A.Ramalakshmi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Certiorarified Mandamus, calling for the records of the second respondent relating to the impugned order dated 12.03.2025 and quash the same and consequently direct the first respondent to release the compensation for the land acquisition



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compensation amount for the T.S.No.46, 48/2 and 50/3 for the Madurai – Tuticorin railway project in favour of the petitioners herein.

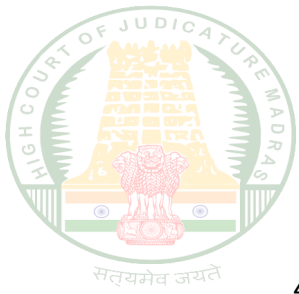
For Petitioner : Ms.Rohini Ravikumar
For Respondents 1 & 2 : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents 1 & 2.

2.The primordial grievance on which the writ petition is filed is that without any jurisdiction under Section 9(1) of “the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997” [hereinafter referred to as “the Act”], the second respondent has passed the order, which is impugned in the present Writ Petition.

3.Learned Counsel for the petitioner would submit that the District Collector is the only competent authority, who can determine the compensation under Section 9(1) of the Act and refer the matter to the competent Civil Court. However, the said exercise has been undertaken by the second respondent, which is under challenge in the present Writ Petition.



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4.Learned Special Government Pleader would submit that it is the District Collector, who has passed the award and determined the compensation. The interim communication is only an intimation sent to the petitioner. He would further submit that compensation has already been sent to the Civil Court and the petitioner may be given liberty to approach the Civil Court.

5.In view of the above, I do not see any useful purpose in keeping this Writ Petition pending. Accordingly, this Writ Petition is disposed of, directing the petitioner to approach the competent Civil Court to determine the right and entitlement of the person to receive compensation. The said enquiry shall be conducted by the District Court, Thoothukudi, and final orders shall be passed within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.03.2025

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To

- 1.The District Judge,
Thoothukudi.
- 2.The District Collector,
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Tuticorin – 628 101.
- 3.The Special Tahsildar,
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P.B.BALAJI., J.

MR

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