



W.P.(MD)No.3004 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD) No.3004 of 2019

R.Selvasigamani

... Petitioner

/Vs./

- 1.The District Collector cum Arbitrator,
Kanyakumari District,
Collectorate
Nagercoil.
- 2.The Special District Revenue Officer,
Land Acquisition Officer for NH 47,
Collectorate,
Nagercoil, Kanyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil Division,
Nagercoil.
- 4.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents, a) to mutate the revenue records from 'Arasu Punjai' to 'Selvasigamani' in respect of



W.P.(MD)No.3004 of 2019

WEB COPY

S.No.85/34 of Thamaraikulam Village, Agasteeswaram Taluk, Kanyakumari Dist so as to enable the Petitioner to get appropriate compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

b) directing the 2nd Respondent to pay appropriate compensation for acquiring the petitioner's property in S.No.85/34 in Thamaraikulam Village, Agasteeswaram Taluk, Kanyakumari District from the date of award with an interest of 18%.

For Petitioner : No appearance

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner seeks issuance of Mandamus to direct the respondents to reclassify the land and also to pay compensation to the petitioner under the provisions of Act 30/2013.

2.No representation for the petitioner. Heard Mr.B.Saravanan, learned Additional Government Pleader for the respondents.

3.According to the learned Additional Government Pleader, the lands, in respect of which the petitioner seeks compensation, are



W.P.(MD)No.3004 of 2019

WEB COPY

Government Poramboke lands and therefore, the petitioner is not entitled to compensation. Further, it is seen from the counter affidavit that the lands in Tamarai Kulam village, Agastheeswaram Taluk, Kanyakumari District have been acquired for four laning of NH.47 and R.S.No.85/34 was also acquired and compensation was also paid to all the eligible land owners. The petitioner has not been able to produce any ownership records to establish the entitlement for compensation.

4.Further, it is seen that the revenue records are reflecting the subject survey number only as Government Poramboke lands and therefore, the petitioner has no right over the subject lands, equally disentitled from seeking compensation as well.

5.As regards the rectification of the defects in the register, the learned counsel submits that the second respondent already called the petitioner for enquiry and the second respondent found that the petitioner had not satisfied his claim for reclassification and therefore, for the lands being Government Poramboke, the petitioner is not entitled to any compensation.



W.P.(MD)No.3004 of 2019

WEB COPY

6.In view of the above, there is no merit in this Writ Petition and accordingly, the Writ Petition stands dismissed. No costs.

Index : Yes / No
NCC : Yes / No
mm

21.04.2025

TO:-

- 1.The District Collector cum Arbitrator,
Kanyakumari District,
Collectorate
Nagercoil.
- 2.The Special District Revenue Officer,
Land Acquisition Officer for NH 47,
Collectorate,
Nagercoil, Kanyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil Division,
Nagercoil.
- 4.The District Revenue Officer,
Kanyakumari District,
Nagercoil.



WEB COPY



W.P.(MD)No.3004 of 2019

P.B. BALAJI, J.

mm

Order made in
W.P.(MD)No.3004 of 2019

Dated:
21.04.2025