



W.P.(MD)No.4836 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4836 of 2019

and

W.M.P(MD)No.3846 of 2019

N.J.Ramesh Raja

... Petitioner

/Vs./

1.The District Revenue Officer/
District Land Acquisition Officer,
Collectorate Complex,
Virudhunagar.

2.The Tahsildar,
Office of Tahsildar,
Rajapalayam,

3.The Revenue Inspector,
Rajapalayam.

4.Village Administrative Officer,
Pudupalayam,
Rajaapalayam.

5.Divisional Engineer,
Highways (Schemes),
Tirunelveli.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbear the respondents from acquiring the petitioner's portion of property comprising of 47 sq.mtr having compound wall with two gates, water sump, electric post etc., in T.S.No. 27/3, at 3/385, PACR Salai, K.R.Nagar, Alagai Nagar, Rajapalayam for purposes of road over bridge at KM 0/8, Rajapalayam, Venbakottai Road (SH-186) without disclosing or payment of compensation.

For Petitioner : Mr.R.R.Kannan
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Though the petitioner has filed the writ petition to forbear the respondents from acquiring the properties belonging to the petitioner to an extent of 61 square metres and 47 square metres, the learned counsel for the petitioner would fairly submit that pending this writ petition, there have been certain developments and the petitioner has been dispossessed and an award has been passed. The petitioner has also been paid compensation in respect of both these survey numbers. However, the petitioner, aggrieved by the low compensation awarded, has sought for enhancement of compensation. He has also given a representation to the District Collector as well as the Special District Revenue Officer on



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29.05.2023, seeking reference to the Competent Court. However, the first respondent, District Revenue Officer has sent a reply in R.O.C.No. 1160/2023/A4, dated 5.12.2023 referring to the acquisition proceedings and forwarding the application for enhancement only in respect of 61 square meters leaving out the other extent of 47 square metres which has also been admittedly acquired from the petitioner and in the aspect of which also, the petitioner is aggrieved by the award of compensation being dismally low.

2. Further, the learned counsel for the petitioner would submit that on inquiry, the petitioner has also come to understand that even the said reference in respect of the 61 square metres has also not reached the Principal District Judge, Virudhunagar and the learned counsel for the petitioner therefore seek for proper reference to be made in respect of both these properties.

3. Considering the above development, the writ petition is disposed of, though not on the original prayer sought for, but taking into account the subsequent developments. The first respondent shall forward



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the application of the petitioner dated 29.5.2023 seeking enhancement of compensation in respect of both the extents of 47 square metres as well as 61 square metres, to the Principal District Court, Virudhunagar District within a period of four weeks, from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
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To

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P.B. BALAJI, J.

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Order made in
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