



W.P(MD)NO.12317 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.07.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.12317 of 2024

R.Ramesh

... Petitioner

.Vs.

1.The District Collector,
Ramanathapuram District.

2.The District Revenue Officer,
Ramanathapuram District.

3.The Special Tahsildar,
Special Tahsildar Office,
NH 49 Manamadurai,
Sivagangai.

4.The National Highways Authority of India,
National Highway Department,
No.G 5&6,Dabri-Gurgaon Road,
Sector 10 Dwarka,
Dwarka, Delhi - 110 075.

5.The National Highway Authority of India,
National Highway department,
Melur Main Road,
TTC Nagar, Madurai - 625 007.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to release the award amount which is passed by the fourth respondent in Na.Ka.No.NH/49/S2/18/2014(135/2023) for Manalur Village, Thirupuvanam Taluk, Sivagangai District within the time stipulated by this Court.

For Petitioner : Mr.A.Ganesan

For Respondents : Mrs.S.Jeya Priya
1 to 3 Govt. Advocate

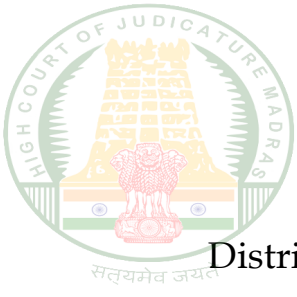
For Repondents :Mr.P.Karthik
4 and 5 Standing Counsel

ORDER

The Writ Petition is filed seeking a direction to the respondents to release the award amount as per the award passed by the fourth respondent, dated 2.8.2023.

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

3.According to the Petitioner , his property situate in S.Nos. 36/1 and 189/2 A1 in Manalur Village, Thirupuvanam Taluk, sivagangai District was acquired for the purpose of expansion of National Highways. The competent authority namely, the Special



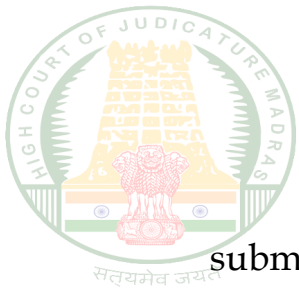
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District Revenue Officer, Ramanathapuram, in his proceedings in Na.Ka.No.NH 49/S2/18/2014(135/2023), dated 2.8.2023 passed an award fixing the compensation payable to the Petitioner and the said amount has not been paid till date. Therefore, the Petitioner has come before this court with the present Writ Petition for the relief stated supra.

4.The learned Standing Counsel appearing for the respondents 4 and 5 by taking this Court to the averments found in the counter affidavit of fifth respondent, would submit that the amount of Rs.6,84,898/- as apportioned by the competent authority in respect of the property situate in S.No.36/1 has already been paid to the Petitioner. As far as the property situate in S.No.189/2A1 is concerned, it is stated by the fifth respondent that revenue records stands in the name of Pitchai Thevar and the Petitioner undertook to file an appeal before the District Revenue Officer to get the revenue records rectified. Therefore the amount is withheld. It is further stated in the counter affidavit that after correction of UDR Records in the name of Petitioner, his claim for compensation will be considered.

5.Mrs.S.Jeya Priya, learned Government Advocate, who appears for the respondents 1 to 3, based on instructions, would



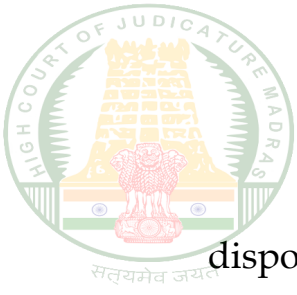
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submit that in respect of the property in S.No.189/2A1, the revenue records stands in the name of Pitchai Thevar and if the Petitioner is able to produce the title documents and revenue records in his name, necessary action will be taken for payment of compensation to the Petitioner.

6.A reading of the award passed by the competent authority would indicate that the legal representatives of Pitchai Thevar in whose name revenue records stands in respect of S.No. 189/2A1 failed to appear before him and therefore, the compensation amount has been withheld. If the respondents 1 and 2 are not able to decide who is the person entitled to claim compensation, then it is for them to refer the matter to the civil Court in accordance with law.

7.In view of the above, the respondents 1 to 3 shall pass final orders for referring the matter to civil Court within a period of six weeks from the date of receipt of a copy of this order. It is for the Petitioner to work out his remedy before the civil Court by establishing his right over the subject property, in the manner known to law and get the compensation disbursed.

8.With the above directions, the Writ Petition stands



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disposed of. No costs.

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25.07.2025

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

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ORDER MADE IN

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