



W.P.(MD) No.13501 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.13501 of 2025

S.Ashoka Rajan

... Petitioner

Vs.

- 1.The District Collector/Land Acquisition Officer,
Kanyakumari District,
at Nagercoil.
- 2.The Commissioner, (Land Acquisition)
Land Administrative Department,
Ezhilagam, Cheppakam,
Chennai-600 005.
- 3.The Deputy General Manager,
Railway Vikaz Nigam Ltd.,
Palayamkottai, Tirunelveli.
- 4.The Deputy Chief Engineer (Construction),
Related to Railway Land Acquisition
Divisional Office Building,
T.C.24/466, Gandhi Bhavan Road,
Housing Board, Thycaud,
Trivandrum, Kerala State-695 014.
- 5.The Special District Revenue Officer,
Office of District Revenue Officer,
Nagercoil, Kanyakumari District.



W.P.(MD) No.13501 of 2025

WEB COPY

6. The Revenue Divisional Officer,
Revenue Divisional Office,
Kanyakumari District.

7. The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

8. The Special Tahsildar,
Office of Special Tahsildar,
(Land Acquisition (Railway)),
Tiruvananthapuram-Kanyakumari
Wing No.2, Division,
Alagiya Mandapam,
Kanyakumari District.

9. Village Administrative Officer,
Nallur, Vilavancode Taluk,
Marthandam Post,
Kanyakumari District.

10. The District Registrar,
District Registration Office,
Marthandam-629 165,
Kanyakumari District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 08.04.2025 and further direct the respondents to reconsider and refix the fair compensation on the basis of the today's Market Price of Rs.4,000/- per square feet for



W.P.(MD) No.13501 of 2025

WEB COPY

petitioner's land and fix fair compensation of Rs.74,500/- for the trees situated in Land Survey No.176/8A, Nalloor Village, Vilavancode Taluk, Kanyakumari District, within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : M/s.K.Malathi
Additional Government Pleader

ORDER

This writ petition is filed seeking issuance of writ of mandamus directing the respondents to consider the petitioner's representation, dated 08.04.2025 and further to direct the respondents to reconsider and refix the fair compensation on the basis of the today's market price.

2.It is the case of the petitioner that he is the owner of the property situated in Survey No.176/8A with an extent of 24.650 cents, Nalloor Village, Vilavancode Taluk, Kanyakumari District. According to the petitioner, a portion of this property has been taken over by the first respondent for the purpose of extension of Double Line Railway Track from Thiruvananthapuram to Kanyakumari. Apprehending that the first



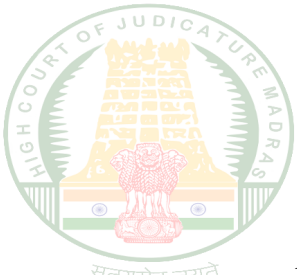
W.P.(MD) No.13501 of 2025

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respondent would fix the compensation based on the old guideline value, the petitioner submitted a representation before the respondents seeking fixation of compensation based on the present market value. The said representation has not been considered. Hence, the petitioner has come before this Court.

3.M/s.K.Malathi, learned Additional Government Pleader, who takes notice for the respondents would submit that the first respondent, who is the competent authority has not determined the compensation payable to the petitioner and it is open to the petitioner to make his submission before the first respondent.

4.Since the first respondent has not fixed the compensation for the land acquired from the petitioner, this Court is not inclined to issue any direction to the first respondent at this stage. The first respondent is expected to fix the compensation payable to the land owners in the light of the provision of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. It is open to the petitioner to submit his representation before the first respondent



W.P.(MD) No.13501 of 2025

WEB COPY

regarding the market value of the subject land acquired for the public purpose.

5. With these clarifications, this Writ Petition is disposed of.

No costs.

02.06.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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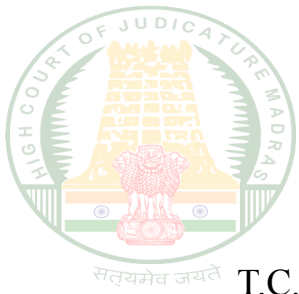
To

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2. The Commissioner, (Land Acquisition)
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W.P.(MD) No.13501 of 2025

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S.SOUNTHAR,J

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