



W.P.(MD) No.13910 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.13910 of 2023

M.Muniyandi

... Petitioner

VS.

- 1.The District Collector,
Madurai District, Madurai.
- 2.The District Revenue Officer cum Authorised Officer,
Madurai Revenue District, Madurai.
- 3.The Special Tahsildar (Land Acquisition),
Melur-Karaikudi Highway Unit-I,
Melur, Madurai District.
- 4.Athi Ayyanar
- 5.Pandi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to disburse the compensation in favour of the petitioner in respect of the land measuring to an extent of 635 sq.ft., comprised in S.No.497/1, Keelaiyur Village, Melur Taluk, Madurai District, which was acquired by the third respondent for the purpose of laying Melur-Karaikudi Highways by considering the representation of the petitioner dated 21.11.2022 within a stipulated time as may be fixed by this Court.



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For Petitioner : Mr.A.Mohan

For Respondents : Mrs.K.Malathi
Additional Government Pleader for R1 to R3

Mr.S.Rajasekar for R4

Mr.S.Palani for R5

ORDER

The writ petition has been filed seeking issuance of a Writ of Mandamus to direct the third respondent to disburse the compensation amount in favour of the petitioner in respect of the lands measuring 635 sq.ft., comprised in S.No.497/1, Keelaiyur Village, Melur Taluk, Madurai District, which has been acquired by the third respondent for the purpose of laying Melur-Karaikudi Highways.

2.The petitioner's grievance is that despite the lands having been acquired from the petitioner, no compensation has been paid, despite a representation dated 21.11.2022.

3.However, on hearing the parties, it is seen that there is a rival claim to the subject lands that have been acquired by the third respondent. Besides the



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petitioner, respondents 4 and 5, also take a claim to the compensation amount.

When there is a dispute with regard to the disbursal of the compensation amount, under Section 21 of the Tamil Nadu Highways Act, 2001, the Collector has to determine the entitlement of the person to whom compensation is payable, including a power available to refer such dispute for the decision of the Court. Here, admittedly, it is seen that no further steps have been taken to disburse the compensation amount by the authorities.

4.Hence, this Writ Petition is disposed of with a direction to the parties to appear before the first respondent/District Collector and the first respondent/District Collector shall conduct an enquiry and if the District Collector is able to ascertain from the available materials produced by the rival parties, then the first respondent/District Collector shall take a decision with regard to the entitlement of the person to whom the compensation amount is payable. However, if complex issues are raised by the parties, then the first respondent/District Collector shall refer the parties to the competent civil Court for adjudication of their claims. The first respondent/District Collector shall fix a date for enquiry and summon both the petitioner as well as respondents 4 and 5



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to come and appear along with the documents in respect of their respective contentions. After hearing the parties, the first respondent/District Collector shall pass final orders, within a period of twelve weeks from the date of conducting the enquiry. No costs.

06.03.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

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P.B.BALAJI, J.

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