



W.P(MD)No.17048 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition(MD)No.17048 of 2025

M.Arunachalam

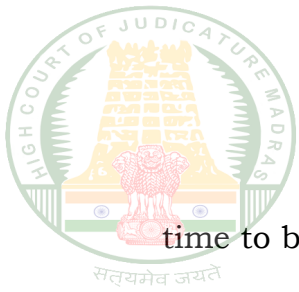
..Petitioner

Vs

- 1.The District Collector,
Pudukkottai District.
- 2.The Special District Revenue Officer,
Cauvery – Vaigai Gundar Link Canal Project,
Pudukkottai District.
- 3.The Revenue Divisional Officer,
Illupur – Post and Taluk,
Pudukkottai District.
- 4.The Special Tahsildar,
Cauvery – Vaigai Gundar Link Canal Project,
Pudukkottai District.
- 5.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 2nd respondent to provide just and reasonable compensation for the acquisition of petitioner's land comprised in S.No.522/2 Punjai 1.13.50 hectares of Vellanur Village, Kulathur Taluk, Pudukkottai District within a reasonable



W.P(MD)No.17048 of 2025

time to be fixed by this Court.

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For Petitioner : Mr.P.Ganapathy Subramanian
For Respondents : Mrs.S.Jeya Priya
Govt. Advocate

ORDER

The writ petition has been filed seeking a direction to the second respondent to pay just and reasonable compensation for the petitioner's property acquired for the construction of the Cauvery-Vaigai-Gundar Link Canal Project, situated in S.No.522/2, Vellanur Village, Kulathur Taluk, Pudukkottai District, within the stipulated time.

2. Heard Mr.P.Ganapathy Subramanian, learned counsel for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, for the respondents and perused the materials.

3. According to the petitioner, the subject property originally belonged to his father, Muthukaruppan, and after his demise, the petitioner along with the other legal heirs became entitled to the same. The property in S.No. 522/2, measuring an extent of 1 acre and 48 cents, was acquired by the respondents for the aforesaid project. However, the compensation amount



W.P(MD)No.17048 of 2025

has not been paid. The patta for the said property stands in the name of the petitioner under Patta No.2867. The petitioner submitted a representation before the respondents seeking payment of compensation, but the same has not been considered. Hence, the petitioner has approached this Court.

4. The learned Government Advocate appearing for the respondents, relying on the counter affidavit filed by the fourth respondent, submitted that there is a serious dispute with regard to the title of the property and, therefore, the petitioner's request for payment of compensation has not been considered.

5. If the competent authority finds that there is a serious dispute with regard to the title of the subject property, it is for him to make a reference under Section 76 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the competent authority constituted under the said Act. Instead of making such a reference as contemplated under the Act, the respondents are not entitled to keep the matter pending without taking any decision. Therefore, the second respondent is directed to consider the request of the petitioner seeking payment of compensation, and in the event of any dispute as to title, it is for the second respondent to make a reference to the competent authority under Section 76 of the Act. The final order shall be passed within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P(MD)No.17048 of 2025

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6. With the above directions, this writ petition stands disposed of. No costs.

22.08.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

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W.P(MD)No.17048 of 2025

S.SOUNTHAR, J.

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Writ Petition(MD)No.17048 of 2025

22.08.2025