



W.P(MD)NOs.16159 and 16160 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)Nos.16159 and 16160 of 2023

1.Leema Rose Gnana Pragasam ... Petitioner in W.P(MD)No.
16159 of 2023

2.S.Aseema Begam ... Petitioner in W.P(MD)No.
16160 of 2023

.Vs.

1.The State of Tamil Nadu,
represented by its Secretary,
Highways Department,
Fort St.George,
Chennai – 600 009.

2.The District Collector,
Kanyakumari District,
Nagercoil – 629 001.

3.The Competent Authority,
Land Acquisition Department,
National Highways,
Nagercoil – 629 001.

4.The Special District Revenue Officer/Project Director,
Land Acquisition, National Highways,



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Nagercoil – 629 001.

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5.The Special Tahsildar,
Land Acquisition Office,
Agastheeswaram Taluk,
Nagercoil – 629 001.

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
No.7, Kurunatheru Road,
Meenakshipuram,
Vadiveeswaram, Ramar Colony,
Nagercoil – 629 001. ... Respondents in both W.Ps'

(R6 is impleaded as per order of this Court made in
W.M.P(MD)Nos.14358 and 16085 of 2023 in W.P(MD)No.
16159 and 16160 of 2023, dated 27.3.2025)

PRAYER in W.P(MD)No.16159 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 3 and 4 to release the accumulated compensation amount within the stipulated time by considering the Petitioner's representation, dated 8.3.2025.

PRAYER in W.P(MD)No.16160 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 3 and 4 to release the said compensation amount of Rs.53,59,889/- (Rupees fifty three lakhs fifty nine thousand and eight hundred and eighty nine only) within the stipulated time by considering the Petitioner's representation, dated 21.09.2022.

For Petitioner
in both W.Ps'

: Mr.A.J.Mohamed Kassim



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W.P(MD)NOs.16159 and 16160 of 2023

For Respondents : Mr.M.Gangathaan
1 to 3 and 5 Govt. Advocate
in both W.Ps'

For Respondent-4 : Mr.P.Karthick
in both W.Ps'

For Respondent-6 : Mr.S.S.Madhavan
in W.P(MD)No. Addl.Govt.Pleader
16159 of 2023

COMMON ORDER

These Writ Petitions are filed seeking a direction to the respondents 3 and 4 to release the compensation amount to the Petitioners in respect of the acquired land by considering their representation, dated 8.3.2025 and 21.09.2022 respectively.

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

3.According to the Petitioners, the properties in S.No.21/6 in Therakalputhooor village and Panchayat, Nagercoil belong to the Petitioners. A portion of the said property was acquired by the official respondents for widening the National Highways. As per the information received by the Petitioners, compensation



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payable to the owner of the land has already been ascertained and the same is deposited in the joint account of CALA and the Project Director, National Highways Authority of India Limited. Since the compensation amount has not been released to the Petitioners, they submitted representations on 8.3.2025 and 21.09.2022 respectively before the official respondents. The same has not been considered till date. Hence the Petitioners are before this Court with the present Writ Petitions for the relief stated supra.

4.The sixth respondent herein filed a counter affidavit stating that the subject temple has been under the control of HR and CE Department from the year 1981 itself and hence, the sale in favour of the Petitioners and their predecessor in interest have been hit by Section 34 of the HR and CE Act. It is the specific stand of the sixth respondent that the 'A' Register Extract for the subject properties stand in the name of "Umayapanganeri Vangaramadasamy Peral Nambakar Chockalingam Pillai". Therefore there is a serious dispute with regard to the person entitled to receive the compensation amount. In such circumstances, this Court is not inclined to entertain these Writ Petitions seeking direction to the respondents to disburse the compensation amount to the Petitioners.



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6. These Writ Petitions stands disposed of accordingly. No costs.

18.08.2025

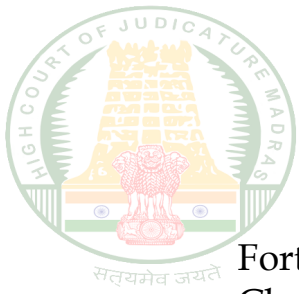
NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

1. The Secretary,
Government of Tamil Nadu,
Highways Department,

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- 3.The Competent Authority,
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National Highways,
Nagercoil – 629 001.
- 4.The Special District Revenue Officer/Project Director,
Land Acquisition, National Highways,
Nagercoil – 629 001.
- 5.The Special Tahsildar,
Land Acquisition Office,
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- 6.The Assistant Commissioner,
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S.SOUNTHAR.,J.

vsn

COMMON ORDER MADE IN

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