



W.P.(MD) No.18720 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.18720 of 2025

K.Aalone

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Special District Revenue Officer,
Land Acquisition Highways,
Collectorate Campus, Madurai District.

3.The Divisional Engineer,
Near Lotus Tank, K.Pudur,
Highways Department,
Construction and Maintenance,
Madurai Division, Madurai District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to acquire the petitioner's land in S.No.33/5C, 33/6C, 33/8C in Vilangudi Bit II Village, Madurai North Taluk, Madurai District within the time stipulated by this Court.



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For Petitioner : Mr.M.Mahaboob Fazil,
for M/s.Roy and Roy Associates.

For Respondents : Mr.D.S.Nedunchezian,
Government Advocate.

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to acquire his lands in S.No.33/5C, 33/6C, 33/8C in Vilangudi Bit II Village, Madurai North Taluk, Madurai District within the time stipulated by this Court.

2. Heard the arguments of Mr.M.Mahaboob Fazil, learned counsel for the petitioner and Mr.D.S.Nedunchezian, learned Government Advocate appearing for the respondents.

3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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4. It is the case of the petitioner that his property situated in S.Nos.33/5C, 33/6C, 33/8C in Vilangudi Bit II Village, Madurai North Taluk, was acquired by the respondents for formation of National Highway-44. After acquisition a small portion of the petitioner's land in the said survey number is rendered useless. Therefore, the petitioner submitted instant representation requesting the respondents to acquire the small portion of unacquired land. The said representation has not been considered. Hence, the petitioner has come before this Court.

5. The extent of land to be acquired is exclusively with the domain of the State and this Court cannot direct the respondents to acquire the land, which is not notified. If it is the case of the petitioner that unacquired portion of the land rendered useless due to compulsory acquisition of lands covered by acquisition notification, it is for him to raise the said point at the time of award enquiry. The points raised by the petitioner shall be considered by the respondents during award enquiry and taking into consideration the objections raised by the petitioner, suitable quantum of compensation shall be fixed.



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6. With the above clarification, this Writ Petition stands disposed of.

No costs.

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NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

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S.SOUNTHAR,J.

das

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