



W.P(MD)No.21627 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.21627 of 2025

P.Illamparithi

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Madurai District.
- 2.The Special District Revenue Officer,
Madurai Ring Road,
Land Acquisition -
National Highway No.744A,
Collectorate, Madurai.
- 3.The Special Tahsildar,
National Highway No.744A,
Zone III, Madurai North Taluk,
Madurai District.
- 4.The Divisional Engineer,
National Highways,
Madurai Division,
No.5, Race Course Road,
Chinna Chokkikulam,
Madurai.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to provide adequate compensation with appropriate interest by re-measuring the property including superstructure of the petitioner in S.F.No.107/1 corresponding New T.S.No.107/8 in Block XXIII-B1 situated Kokkulappi Village, Madurai Corporation based on the petitioner's representation dated 08.07.2025.

For Petitioner : M/s.M.Viji

For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2. 68 Sq.mts of land belonging to the writ petitioner have been acquired under the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Even though a lesser extent of land alone is being acquired, the entire building situated on a larger extent has to be demolished. The building in question consists of both a ground floor as well as first floor. The ground floor measures 128.38 sq.mts and the first floor measures 100.5 sq.mts.

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The authorities are not right in holding that the first floor will not be valued. The first floor may be excluded in valuation only if it consists a terrace portion. But if there is a building in the first floor, then it has to be valued. I am not going into the valuation aspect. I am only directing the second respondent to value the building for the ground floor as well as the first floor and also the land in question and pay compensation to the writ petitioner before the writ petitioner is dispossessed.

3. This writ petition is allowed accordingly. There shall be no order as to costs.

04.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The District Collector,
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- 2.The Special District Revenue Officer,
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National Highway No.744A,
Collectorate, Madurai.

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G.R.SWAMINATHAN, J.

MGA

3.The Special Tahsildar,
National Highway No.744A,
Zone III, Madurai North Taluk,
Madurai District.

4.The Divisional Engineer,
National Highways,
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