



W.P.(MD)No.22911 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2025

CORAM:

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P.(MD).No.22911 of 2025

Bagavathi

... Petitioner

Vs.

1. The Secretary to Government of Tamilnadu,
Highway Department,
Secretariat, Chennai
Tamil Nadu – 600 009.
2. The Commissioner of Land Administration,
Office of the commissioner of land Administration,
Ezhilagam, Chepauk.
Chennai-600 005.
3. The District Collector,
District Collector Office,
Sivagangai – 630 562.
4. The District Revenue Officer,
District Revenue office,
Sivagangai – 630 562.
5. The Special District Revenue Officer (L.A),
Special District Revenue Officer,
National High ways,
Thoothukudi.



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6. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai- 630 561.

7. The Special Tahsildar (L.A),
Office of the Special Tahsildar,
State National Highway,
Sivagangai – 630 561.

8. The Tahsildar,
Tahsildar Office,
Sivagangai Taluk,
Sivagangai -630561.

... Respondents

Prayer: 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 5 to provide Fair and adequate Compensation as per current status of land's real value under section 19 of the Tamil Nadu Highways Act 2001 (34/2002) and with Section 23 of the Land Acquisition Act 1894, in Survey No: 277/6B to an extent of 1561 square meter, Survey No.277/7A2 to an extent of 411 square meter, Survey No.278/9 to an extent of 271 square meter and Survey No.277/4 to an extent of 353 square meter and Survey No.355/1B in Keelakandi Revenue Village, Sivagangai Taluk, Sivagangai District in order to laying Bypass Road in National Highway of Thanjavur Manamadurai at Sivagangai, based on the petitioner's representation dated:24.07.2025, and consequently representation, dated: 01.08.2025.



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For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.A.Baskaran,
Additional Government Pleader

ORDER

The writ petition is filed seeking a direction to the respondents 3 and 5 to provide fair and adequate compensation to the petitioner's land situated in Survey No: 277/6B; Survey No.277/7A2 ; Survey No.278/9; Survey No.277/4 and Survey No.355/1B in Keelakandi Revenue Village, Sivagangai Taluk, Sivagangai District, which was acquired by the official respondents for laying Bypass road to Thanjavur - Manamadurai, National Highways by considering the representation dated 01.08.2025.

2. Heard Mr.R.Senthil Kumar, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader, who takes notice for the respondents 1 to 8.

3. By consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself.

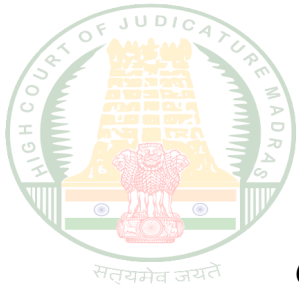


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4. According to the petitioner, the subject properties were acquired by the official respondents for laying Bypass road under the provisions of the Tamil Nadu Highways Act, 2001, by issuing a notification under Section 15(1) of the said Act on 01.11.2023. The negotiation for fixation of compensation under Section 19(2) of the said Act was met with a failure as there was no consensus between the petitioner and the competent authority. Therefore, the petitioner submitted the instant representation before the official respondents seeking payment of compensation charge of Rs.520/- per sq.meters as fixed by the competent authority for acquisition of petitioner's land under the National Highways Act. The said representation has not been considered and hence, the petitioner has come before this Court.

5. In the absence of any consensus between the land owner and the competent authority for fixing the compensation amount under Section 19(2) of the said Act, it is for the competent authority to refer the matter for decision to Collector under Section 19(3) of the said Act.



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6. In view of the same, without expressing any opinion on the merits of the matter, the fifth respondent is directed to consider the representations of the petitioner dated 24.07.2025 and 01.08.2025 and refer the matter for to the third respondent under Section 19(3) of the State Highways Act, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above observations.

No costs.

22.08.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
das



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S.SOUNTHAR, J.

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