



W.P.(MD) No.22435 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 18.08.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

W.P.(MD) No.22435 of 2025

S.Thavasi@ Gopalakrishnan

... Petitioner

Vs.

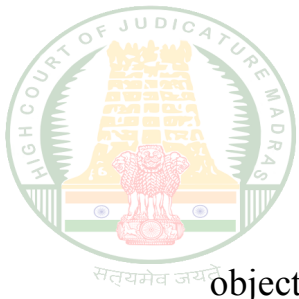
1.The Secretary to Government,  
Highways and Small Ports Department,  
Fort St.George,  
Chennai.

2.The Special District Revenue Officer,  
(Land Acquisition),  
Highways,  
Thoothukudi.

3.The Special Tahsildar,  
(Land Acquisition),  
Highways, Unit-4,  
Mudhukulathur,  
Ramanathapuram District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to give a personal hearing to the petitioner in respect of the notices dated 04.06.2025 in Na.Ka.No.A2/3053774/2025 and the



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objections of the petitioner dated 02.07.2025 and 17.07.2025 in respect of acquisition of lands for formation of Rameswaram Bypass Road.

For Petitioner : M/s.A.Sakthi Bavatharani  
for Mr.J.Barathan

For R1 to R3 : Mr.A.Baskaran  
Additional Government Pleader

### **ORDER**

The writ petition is filed seeking issuance of a writ of mandamus directing the second respondent to give personal hearing to the petitioner in respect of the notice dated 04.06.2025 in Na.Ka.No.A2/3053774/2025 and to consider the objections of the petitioner dated 02.07.2025 and 17.07.2025 regarding acquisition of land for the formation of Rameswaram Bypass Road.

2.Heard the arguments of M/s.A.Sakthi Bavatharani, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additonal Government Pleader appearing for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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3.It is not in dispute that the property belongs to the petitioner is sought to be acquired under the provisions of Tamil Nadu Highway Act. Section 15(2) notice was already issued inviting objections from the land owners. The petitioner submitted objections before the Competent Authority on 02.07.2025 and 17.07.2025.

4.The writ petition is filed for the limited purpose of seeking a direction to the respondents to give personal hearing to the petitioner, while considering his objections.

5.Sub Rules 2 and 3 of Rule 5 of the Tamil Nadu Highways Rules, 2003 reads as follows:-

*(2) If any objection is received from a person interested in the land within the time prescribed in the public notice issued under sub-section 2 of section 15, [the Government or the Collector or the Special District Collector ( Land Acquisition), Tamil Nadu Urban Development Project-III or the Sepcial District Revenue Officer (Land Acquisition), as the case may be, shall fix a date for hearing the objections and give notice thereof to the objector as well as to the Highways Department. Copies of the objection shall also be forwarded to the*



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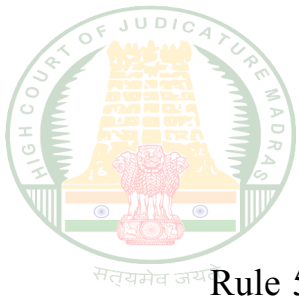


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*Highways Department. The Highways Department may file on or before the date fixed by [the Government or the Collector or the Special District Collector (Land Acquisition), Tamil Nadu Urban Development Project-III or the Special District Revenue Officer (Land Acquisition), as the case may be, a statement by way of answer to the objections and may also depute a representative to attend the enquiry;*

*(3) On the date fixed for enquiry or any other date to which the enquiry may be adjourned, [the Government or the Collector, or the Special District Collector (Land Acquisition), Tamil Nadu Urban Development Project-III or the Special District Revenue Officer (Land Acquisition), as the case may be, shall hear the objector or a person authorised by him in this behalf and the representatives, if any, of the Highways Department and record any evidence that may be produced in support of the objection and in support of the need for acquiring the land;*

6. Therefore, it is clear that after receipt of objections from the persons interested in the land, the Competent Authority shall fix a date of hearing and give notice thereof to the objector. Sub Rules 2 and 3 of



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Rule 5 of the Tamil Nadu Highways Rules, 2003 also makes it clear that objector shall be heard by the Competent Authority. Therefore, no exception can be made to the prayer sought for in this writ petition. Accordingly, the Writ Petition stands allowed by directing the respondents to follow the procedure contemplated under Sub Rules 2 and 3 of Rule 5 of the Tamil Nadu Highways Rules, 2003. No costs.

**18.08.2025**

NCC : Yes/No  
Index : Yes/No  
Internet : Yes/No  
cp

To

1.The Secretary to Government,  
Highways and Small Ports Department,  
Fort St.George,  
Chennai.

2.The Special District Revenue Officer,  
(Land Acquisition),  
Highways,  
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**S.SOUNTHAR,J**



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