



W.P.(MD)No.26996 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :30.10.2025

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.26996 of 2025

K.P Selvam

... Petitioner

Vs.

1. The District Collector,
O/o. the Collectorate,
Ramnad- 623 503.

2. The Special District Revenue Officer,
Land Acquisition For National Highway Officer,
Land Acquisition For National Highway 49,
O/o. the Collectorate,
Ramnad 623 503.

3. The Project Director,
National Highway 49,
National Highways Authority of India (NHAI),
Subramaniapuram,
Karaikudi 630 002.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, directing the 2nd Respondent
herein to Issue the Fair compensation payable to the petitioners, within a
Specific time frame that may be fixed by this Hon`ble Court, for their



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acquired lands comprised under the Survey Nos.41/3A,41/3C,542/2, situated at Kamudakudi Group Village, Paramakudi, Ramnad District, as per statutory provisions under sections 26,27,28,29,30,72 and 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(Act 30 of 2013), considering the petitioner's representations dated 26.06.2024, 02.09.2024, 07.09.2024,19.

For Petitioner :Mr.K.P Selvam (Party in Person)

For Respondents :Mr.P.Thambidurai

Government Advocate for R1 & R2

Mr.B.Naveen Kumar

for Mr.Su.Srinivasan for R3

ORDER

The petitioner was the owner of 1938 square metres of land in Survey Nos.41/3A, 41/3C and 542/2 at Kamudakudi Group Village, Paramakudi, Ramnad District. The said land was acquired pursuant to proceedings initiated under the National Highways Act, 1956. The award in relation thereto was issued on 19.05.2025 by the second respondent



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herein. By this writ petition, the petitioner seeks consideration of representations for payment of fair compensation within a specific time frame.

2. The petitioner appears as party-in-person. He submits that the determination of compensation is not in consonance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013). He submits that a proper inquiry, in terms of Section 23 of Act 30 of 2013, was not conducted. He also submits that the market value of the land was not determined by considering the average sale price prevailing in the relevant village. He also submits that other considerations such as payment of solatium and interest were also not taken into account. Therefore, he seeks re-determination of compensation.

3. Learned Government Advocate has placed on record written instructions from the second respondent. In the said written instructions, it is recorded that compensation was determined as per Act 30 of 2013 and that the balance due towards compensation was deposited in the petitioners' bank account as per details set out in a table therein.



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4. On perusal of the award dated 19.05.2025, it is noticeable that compensation has been determined by applying Act 30 of 2013. The aggregate compensation in respect of Survey Nos.41/3A, 41/3C and 542/2 has been determined in a sum of Rs.56,38,824/-. After giving credit to the sum of Rs.16,28,535/-, which was paid earlier, it is recorded that the balance amount payable is Rs.40,10,289/-. On comparison of the award with the communication from the Government Advocate, it appears that this sum of Rs.40,10,289/- has been remitted into the bank account of the petitioner in relation to land in Survey Nos.41/3 and 41/3C and into the account of S.Antony Xavier George in relation to land in Survey No.542/2. The aggregate amount deposited tallies with the amount mentioned in the award.

5. Both the National Highways Act, 1956 and Act 30 of 2013 contain an elaborate and self-contained mechanism for the determination of compensation and for making claims for enhanced compensation. In those circumstances, in exercise of discretionary jurisdiction under Article 226, the award cannot be interfered with. Therefore, by leaving it



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open to the writ petitioner to seek enhanced compensation in accordance with law, this writ petition is disposed of without any order as to costs.

30.10.2025

NCC :No
Internet :Yes
Index :No
PKN

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