



W.P.(MD).No.29867 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD).No.29867 of 2024

G.Semmalar

... Petitioner

Vs.

- 1.The Arbitrator (The District Collector),
(Under the National Highways Act),
Office of the District - Collectorate,
Madurai District.
- 2.The Authorized Officer,
Special District Revenue Officer (Land Acquisition),
National Highways No. 744A,
Madurai Ring Road,
Madurai District,
Madurai - 600 002.
- 3.The Special Tahsildar,
National Highways No.744A,
Phase - III, Madurai North,
Madurai - 625 014,
Madurai District.

4.K.Saravanakumar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 herein to disburse and release the compensation award amount in favour of the petitioner based on



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her representation dated 13.09.2024 within a stipulated time period as may be fixed by this Court.

For Petitioner : M/s.B.Deepa
For R-1 to R-3 : Mrs.S.Jeya Priya
Government Advocate
For R-4 : Mr.J.Barathan

ORDER

The Writ Petition is filed seeking a direction to the respondents 1 to 3 to disburse the compensation payable to the petitioner in respect of the acquired land by considering the petitioner's representation dated 13.09.2024.

2. It is the case of the petitioner that portion of a property situated in Survey Nos.39/13A, 39/3B1A and 39/4A1A in Vilachery Village, Madurai District was acquired by the second respondent for extension of national highways. The petitioner submitted a representation before the second respondent on 13.09.2024 seeking disbursement of compensation amount to the petitioner. The same has not been considered by the second respondent in view of the objection raised by the fourth respondent claiming interest in the acquired lands. Therefore, the petitioner has come before this Court.



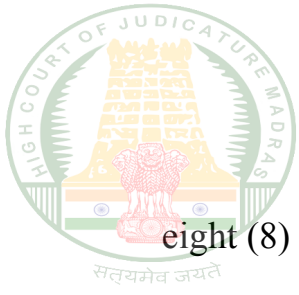
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3. The learned counsel appearing for the fourth respondent would submit the fourth respondent also claims a share in the property and he laid a suit in O.S.No.51 of 2014 on the file of the Principal District Munsif Court, Thirumangalam, seeking declaration of the cancellation deed dated 26.12.2013, cancelling the earlier settlement deed dated 28.03.2011 executed by the fourth respondent's grandmother, as null and void.

4. The learned counsel appearing for the petitioner would submit that the petitioner has not even been impleaded as a party defendant in the suit filed by the fourth respondent. Therefore, the petitioner is not in a position to defend the action of the fourth respondent.

5. Taking into consideration the rival contentions of the parties, this Court is inclined to direct the fourth respondent to file his objection regarding disbursal of compensation amount to the petitioner before the second respondent within a period of three (3) weeks from the date of receipt of a copy of this order. The second respondent shall consider the representation of the petitioner dated 13.09.2024 and the objection of the fourth respondent to be submitted and pass final orders on its own merits within a further period of



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eight (8) weeks and communicate the order to the petitioner as well as the fourth

respondent.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

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S.SOUNTHAR,J.

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