



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**W.P(MD)No.33773 of 2025
and
W.M.P(MD)No.26657 of 2025**

P.Kannan

... Petitioner

Vs

1. The Assistant Divisional Engineer (Highways),
Projects Sub-Division,
Tirunelveli - 627 002.

2. The Special Tahsildar (Land Acquisition),
Tirunelveli Western Outer Ring Road Scheme,
Tirunelveli - 627 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from acquire the Petitioner's land comprised in S.F.No.444/1A1 to an extent of 2323 Sq.Mt., situated at Dharuvai Village, Melapalayam Sub-Registrar Jurisdiction, Palayamkottai Taluk, Tirunelveli District including the agricultural well, without issuance of statutory notice and without payment of just and fair compensation.

For Petitioner : M/s.D.Selvanayagam

For Respondents : Mr.P.Thambidurai
Government Advocate



ORDER

The petitioner had purchased a total extent of 1 acre and 7 cents in S.No. 444/1A. Out of this extent, an extent of 15.50 ares or 1550 square meters was acquired earlier under the National Highways Act, 1956. By this petition, the petitioner seeks to restrain the respondents from acquiring the remaining land without complying with the statutory prescription in that regard.

2. Learned Government Advocate has placed on record the award relating to the acquisition of 1550 square metres in S.No.444/1A(part). He submits that the procedure prescribed in the National Highways Act, 1956 would be followed strictly if the remaining land of the petitioner were to be acquired.

3. While the petitioner cannot prevent the respondents from acquiring land in exercise of powers conferred by statute, the respondents are duty bound to undertake such acquisition, if any, in accordance with statutory prescription. Accordingly, by recording the statement of learned Government Advocate that the provisions of the National Highways Act, 1956 would be complied with strictly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

25.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



To

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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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