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W.P.No.1057 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.1057 of 2026
and
W.M.P. Nos.1227 and 1229 of 2026

S.Saminathan

.. Petitioner

VS

1.The State of Tamil Nadu
rep. By its Secretary,
Highways Department,
Fort St. George, Chennai – 600 009.

2.The Collector,
District Collectorate,
Tiruppur District, Tiruppur.

3.The District Revenue Officer,
Palladam Road, Tiruppur District.

4.The Divisional Engineer,
State Highways Department,
Tiruppur District.

5. The Special District Revenue Officer
(Land Acquisition),
Highways Department,
Collectorate Building,
Coimbatore – 641 018.

.. Respondents

(R5 suo motu impleaded vide order
dated 29.01.2026 in W.P.No.1057 of 2026)



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For Petitioner : Mr.K.R.Ashwin Kumar
For Respondents : Mr. D.Ravichander
Special Government Pleader

ORDER

The matter is listed upon being mentioned by learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that the finding recorded in paragraph 4 that the petitioner admitted that notice has been served on the erstwhile owner Mr.Subramaniam is factually incorrect.

3. Upon examining the records, the contention of learned counsel for the petitioner is liable to be accepted. Therefore, the Registry is directed to reissue the order with the following correction in paragraph 4 thereof. The first sentence of paragraph 4 should end with "countenanced" by deleting the phrase "especially in the light of the petitioner's admission that such notice had been served on the erstwhile owner Mr.Subramaniam."

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Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records relating to the notice issued by the third respondent in Na.Ka.No.27192/2010/U2 dated 29.08.2011 in so far as it relates to the petitioner's land comprised in S.No.120/2C, situated at 63/5, Mangalam Road, Tiruppur and quash the same as illegal and void, as the said notice was issued in the wrong names and further quash all subsequent proceedings initiated under the Tamil Nadu Highways Act, 2001 and consequently direct the respondents that if they intend to acquire the petitioner's land, they shall do so only after strictly following due process of law, including compliance with the provisions of the Tamil Nadu Highways Act, 2001 and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

For Petitioner : Mr.K.R.Ashwin Kumar
For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

The petitioner assets that his father Mr.N.Subramanian purchased a larger extent of land in Survey No.120/2C from one Mr.S.Subramaniam under sale deed dated 06.12.1978 bearing Document No.1599 of 1978. Thereafter, it is stated that his father settled an extent of 3115 sqf.t. in his favour under registered settlement deed dated 20.02.2008 bearing Document No.864 of 2008. It is also stated that the revenue records were thereafter



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mutated in the name of the petitioner. Upon discovering in December 2025 that the petitioner's land was proposed to be acquired for purposes of laying a highway, the petitioner has approached this Court challenging the notice under Section 15(2) of the Tamil Nadu Highways Act, 2001.

2. Mr.P.Sathish, learned Additional Government Pleader, accepts notice for all the respondents. He submits that the petitioner admits that the erstwhile owner was served notice under Section 15(2) of the Tamil Nadu Highways Act. He also points out that an order under Section 15(1) was issued thereafter. At this juncture, he submits that an enquiry in relation to the proposed award is ongoing. He submits that the petitioner may approach the Special District Revenue Officer, Highways Department with relevant documents to establish that he is the person interested in the property.

3. In view of the above submissions of learned Additional Government Pleader, the Special District Revenue Officer (Land Acquisition), Highways Department, Collectorate Building, Coimbatore – 641 018, is suo motu impleaded as the fifth respondent.



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4. At this belated juncture, the petitioner's attack on Section 15(2) of the Tamil Nadu Highways Act cannot be countenanced especially in the light of the petitioner's admission that such notice had been served on the erstwhile owner Mr.Subramaniam. The petitioner is, however, entitled to participate in the enquiry proceedings and submit all relevant documents so as to establish his claim. By directing the fifth respondent to consider the petitioner's claim for compensation and dispose of the same within six weeks from the date of receipt of a copy of this order, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

29.01.2026

Index:Yes/No
Neutral Citation: Yes/No
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