



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 24428 of 2023

Pazhanimuthu

..Petitioner(s)

Vs

1. The District Collector,
District Collector Office,
Kallakurichi District.
2. The Revenue Divisional Office,
Officer Of Revenue Divisional Office,
Kallakurichi District.
3. Divisional Engineer,
National Highways, Building And
Maintenance, Kallakurichi District.
4. The Assistant Divisional Engineer
National Highways,
Building And Maintenance,
Kallakurichi District.
5. The Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.
6. Block Development Officer,
Kallakurichi,
Kallakurichi District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to determine the amount under Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and disburse the



compensation for the land acquisition of agricultural punjai land bearing comprised in Survey Nos.38/1B-0.01.0 acre, 38/11B-0.05.0 acre, 38/14B – 0.01.5 acre, 40/10C – 0.10.0, 40/10B – 0.15.0 acre, totally 0.32.5 acre or 80.5 cents are situated at Kilpoondi Village, Melur Post, Kallakurichi Taluk and District to petitioner based on the petitioner's representation since from 2007 and latest on 25.10.2022.

For Petitioner(s): Mr.D.Murugan

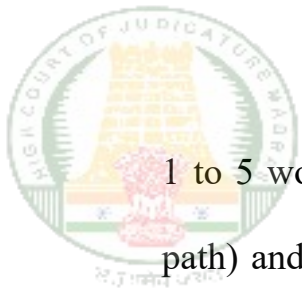
For Respondent(s): Mrs.S.Indhu Bala, AGP for R1 to 5
Mr.C.Jayaprakash, GA for R6

ORDER

This writ petition is filed to direct the respondents to consider the petitioner's representation dated 25.10.2022.

2. Learned counsel for the petitioner would submit that the petitioner's agricultural land to an extent of 0.01.0 Acre, comprised in S.Nos.38/1B-0.01.0 acre, 38/11B - 0.05.0 acre, 38/14B - 0.01.5 acre, 40/10C - 0.10.0, 40/10B - 0.15.0 acre, totally 0.32.5 acre or 80.5 cents are situated at Kilpoondi Village, Kallakurichi Taluk and District are belongs to petitioner. The respondents have laid the road illegally by acquiring the petitioner's land without following due process of law and without issuance of notice under any statute. Therefore, the petitioner made a representation dated 25.10.2022 before the respondents. However, the same was not considered, as on date. Hence, this writ petition.

3. Learned Additional Government Pleader appearing for the respondents



1 to 5 would submit that the land in dispute is a Nilavayal pathai (paddy field path) and has been in use for 50 years. He further stated that the land was not acquired under the Highways Act for extension, as it is an existing road that is already in use.

4. Heard the learned counsel on either side and perused the materials available on record.

5. The petitioner's grievance is that all of a sudden, one fine morning, his patta land is put into use for the purpose of pathway and that too without following the due process of law. Unless and otherwise, the said land is acquired under the land acquisition Act, the petitioner is not entitled for compensation. However, taking into the consideration of the petitioner's grievance, this Court directs the second respondent to consider the petitioner's representation dated 25.10.2022, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this writ petition stands disposed of. No costs.

25-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
VM



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KRISHNAN RAMASAMY, J.

VM

To:

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District Collector Office,
Kallakurichi District.
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Officer Of Revenue Divisional Office,
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