



W.P.(MD)No.5407 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD)No.5407 of 2026

and

W.M.P.(MD)Nos.4544 and 4546 of 2026

Mohan

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Represented by the Additional Chief Secretary,
Revenue and Disaster Management Department,
Secretariat,
Chennai - 600 009.
- 2.The State of Tamil Nadu,
Represented by the Secretary,
Water Resources Department,
Secretariat,
Chennai - 600 009.
- 3.The District Collector,
Collectorate,
Karur - 639 001.
- 4.The Special District Revenue Officer (Land Acquisition),
Collectorate,
Karur - 639 001.
- 5.The Special Tahsildhar (Land Acquisition),
Kulithalai Taluk, Karur.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for records pertaining to the impugned order in Na.Ka.A1/48/2024 dated 13.01.2025, issued by the third respondent and quash the same as it is without jurisdiction.

For Petitioner : Mr.S.Venkatesh
For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

Pursuant to a representation made by the petitioner seeking compensation for planted trees, crops, and other infrastructure, the third respondent passed the rejection order dated 13.01.2025, which is challenged in the present writ petition.

2. The only contention raised by the learned counsel for the petitioner is that once the award is passed by the District Collector and objections are filed, the District Collector has no other option but to refer the matter to the concerned authority, *i.e.*, the Principal District Judge, in the present case. He cannot pass any orders on the objections raised against the award.



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3. The learned Government Advocate appearing for the respondents would fairly submit that in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [hereinafter referred to as "the Act"], the District Collector has no powers to pass any orders on the objections raised by the parties after an award is passed.

4. Heard the learned counsel for the parties and perused the materials available on record.

5. Admittedly, once an award is passed, the District Collector becomes *functus officio*. Under the scheme of the Act, after an award is passed, if a person who has not accepted the award gives a written application to the District Collector under Section 64 of the Act, the matter shall be referred to the concerned authority, which is the Principal District Judge in this case. Section 64 of the Act reads as follows:

"64. Reference to Authority.— (1) Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Authority, as the case may be, whether his objection be to the measurement of the land, the amount of the



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compensation, the person to whom it is payable, the rights of Rehabilitation and Resettlement under Chapters V and VI or the apportionment of the compensation among the persons interested:

Provided that the Collector shall, within a period of thirty days from the date of receipt of application, make a reference to the appropriate Authority:

Provided further that where the Collector fails to make such reference within the period so specified, the applicant may apply to the Authority, as the case may be, requesting it to direct the Collector to make the reference to it within a period of thirty days.

(2) The application shall state the grounds on which objection to the award is taken:

Provided that every such application shall be made—

(a) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award;

(b) in other cases, within six weeks of the receipt of the notice from the Collector under section 21, or within six months from the date of the Collector's award, whichever period shall first expire:

Provided further that the Collector may entertain an application after the expiry of the said period, within a further period of one year, if he is satisfied that there was sufficient cause for not filing it within the period specified in the first proviso."



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6. Further, the duty of the District Collector is stated under Section 65 of the Act. Section 65 of the Act reads as follows:

"65. Collector's statement to Authority. – (1) In making the reference, the Collector shall state for the information of the Authority, in writing under his hand—

(a) the situation and extent of the land, with particulars of any trees, buildings or standing crops thereon;

(b) the names of the persons whom he has reason to think interested in such land;

(c) the amount awarded for damages and paid or tendered under section 13, and the amount of compensation awarded under the provisions of this Act;

(d) the amount paid or deposited under any other provisions of this Act; and

(e) if the objection be to the amount of the compensation, the grounds on which the amount of compensation was determined.

(2) The statement under sub-section (1) shall be attached a schedule giving the particulars of the notices served upon, and of the statements in writing made or delivered by the persons interested respectively."

7. As seen above, while making a reference on the basis of the objections raised by any person, it is the duty of the District Collector to inform the concerned authority in writing.



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8. As rightly contended by the learned counsel for the petitioner, there is no provision for the District Collector to revisit his own award on the basis of the objections made to the award. The District Collector must follow the procedure laid down under Sections 65 of the Act after receiving objections and cannot decide the objections received under Section 64 of the Act.

9. For the reasons stated above, the impugned order lacks *bona fide* and liable to be set aside. Accordingly, the impugned order dated 13.01.2025 is hereby set aside. The writ petition stands allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
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(K.SURENDER, J.)
27.02.2026
(3/8)

To:-

1. The Additional Chief Secretary,
State of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat,
Chennai - 600 009.



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- 2.The Secretary,
State of Tamil Nadu,
Water Resources Department,
Secretariat,
Chennai - 600 009.
- 3.The District Collector,
Collectorate,
Karur - 639 001.
- 4.The Special District Revenue Officer (Land Acquisition),
Collectorate,
Karur - 639 001.
- 5.The Special Tahsildhar (Land Acquisition),
Kulithalai Taluk, Karur.



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