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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 30.09.2026

PRONOUNCED ON : 29.10.2026

CORAM

THE HON'BLE MR JUSTICE S. SOUNTHAR

W.P.(MD).No.21260 of 2026
CNR:{HCMD011023482026}

and W.P.(MD).Nos.27405 and 27406 of 2026
and W.M.P.(MD).Nos.15758, 18486, 20736, 20737, 20747 and 20749 of 2026

W.P.(MD) Nos. 21260 of 2026:

David Koil Pillai

..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government
   Water Resources Department,
   Fort St. George, Chennai.

2. The District Collector
   Tirunelveli District, Tirunelveli.

3. The Special District Revenue Officer (Land Acquisition)
   Special District Revenue Office,
   River Interlinking Project,
   Tirunelveli.

4. The Special Tahsildar (Land Acquisition)
   River Interlinking Project (Unit-7),
   Tirunelveli.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the

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records relating to the impugned G.O.Ms.No.92, Water Resources (N2) Department, dated 08.11.2022 passed by the 1st respondent and also impugned order of the 3rd respondent in Na.Ka.Na.Ni.E.3/61/2022 dated 15.04.26 and quash all the above impugned orders in respect of land in Survey Nos.561, 562/1, 562/2, 562/3, 563/1, 563/2 and 564, admeasuring an extent of 10.18 acres, situated at South Kallidaikurichi Part-2 Village, Ambasamudram Taluk, Tirunelveli District.

For Petitioner(s): Mr.R.Baskaran
Senior Counsel
for M/s.N.Vignesh

For Respondent(s): Mr.J.Barathan
Additional Advocate General
Assisted by Mrs.K.Porkodi
Special Government Pleader

W.P.(MD).No.27405 of 2026:

1. Jacintha
2. Karina Koil Pillai
3. Katrina Koil Pillai

..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government
   Water Resources Department,
   Fort St. George,
   Chennai.
2. The District Collector,
   Tirunelveli District,
   Tirunelveli.

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3. The Special Revenue Officer (Land Acquisition),
   Special District Revenue Office,
   River Interlinking Project,
   Tirunelveli.

4. The Special Tahsildar (Land Acquisition),
   River Interlinking Project (Unit-7),
   Tirunelveli.

..Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records relating to the impugned G.O.Ms.No.92, Water Resources (N2) Department, dated 08.11.2022 passed by the 1st respondent, the impugned preliminary notification issued by the 2nd respondent in Na.Ka.No.Na.Ni.E.3/61/2022 dated 18.03.2025, the impugned declaration notification issued by the 2nd respondent in Na.Ka.No.Na.Ni.E.3/61/2022 dated 26.11.2025 and also impugned proceeding of the 3rd respondent in Na.Ka.Na. Ni. E.3/61/2022 dated 15.04.2026 and quash all the above impugned orders insofar as they relate to the petitioners' lands described in paragraph 8 of the affidavit, situated at South Kallidaikurichi Part-2 Village, Ambasamudram Taluk, Tirunelveli District.

For Petitioner(s): Mr.R.Baskaran
Senior Counsel
for M/s.N.Vignesh

For Respondent(s): Mr.J.Barathan
Additional Advocate General
Assisted by Mrs.K.Porkodi
Special Government Pleader

W.P.(MD).No.27406 of 2026:

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..Petitioner(s)

Vs

1. The Additional Chief Secretary to Government
   Water Resources Department,
   Fort St. George,
   Chennai.

2. The District Collector,
   Tirunelveli District,
   Tirunelveli.

3. The Special Revenue Officer (Land Acquisition),
   Special District Revenue Office,
   River Interlinking Project,
   Tirunelveli.

4. The Special Tahsildar (Land Acquisition),
   River Interlinking Project (Unit-7),
   Tirunelveli.

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PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records relating to the impugned G.O.Ms.No.92, Water Resources (N2) Department, dated 08.11.2022 passed by the 1st respondent, the impugned preliminary notification issued by the 2nd respondent in Na.Ka.No.Na.Ni.E.3/61/2022 dated 18.03.2025, the impugned declaration notification issued by the 2nd respondent in Na.Ka.No.Na.Ni.E.3/61/2022 dated 26.11.2025 and also impugned proceeding of the 3rd respondent in Na.Ka.Na. Ni. E.3/61/2022 dated 15.04.2026 and quash all the above impugned orders insofar as they relate to the petitioner's lands described in paragraph 6 of the affidavit, situated at South Kallidaikurichi Part-2 Village, Ambasamudram Taluk, Tirunelveli District.

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For Petitioner(s): Mr.R.Baskaran
Senior Counsel
for M/s.N.Vignesh

For Respondent(s): Mr.J.Barathan
Additional Advocate General
Assisted by Mrs.K.Porkodi
Special Government Pleader

COMMON ORDER

The Writ Petition in W.P.(MD).No.21260 of 2026 has been filed challenging the order passed by the 1st respondent granting Administrative Sanction for acquisition of 87.94.32 hectares of land in Survey No.534/3C and other survey numbers in Kallidaikurichi Part-2 Village, Ambasamudram Taluk, Tirunelveli District and for reclassification of the said land. The petitioner also challenges the subsequent order passed by the 3rd respondent rejecting the objections of the petitioner against the acquisition.

2. The Writ Petitions in W.P.(MD).Nos.27406 and 27405 of 2026 have been filed challenging the above mentioned order of the 1st respondent, the preliminary notification issued by the 2nd respondent under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter called as the 'Right to Fair Compensation Act' for brevity),

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the final notification under Section 19 of the Right to Fair Compensation Act and the order passed by the 3rd respondent rejecting the objections of the petitioner against the acquisition.

3. The facts leading to filing of these writ petitions are as follows:-

3.(i) The petitioner in W.P.(MD).No.21260 of 2026 and the petitioner in W.P.(MD).No.27405 of 2026 are husband and wife. The petitioner in W.P.(MD).No.27406 of 2026 is a close relative of petitioner in W.P.(MD).No.21260 of 2026.

3.(ii) It is the case of the petitioners that the subject properties are owned by them as they purchased it from its original owner Subbaiah under the registered document as early as 2015. According to them, the subject properties have been in their possession and enjoyment and the revenue records were also mutated in their names. It is their further case that they have been cultivating the subject properties by raising agricultural crops, fruit-bearing trees etc. The petitioners came across a paper publication made under Section 19(1) of the Right to Fair Compensation Act, declaring that the subject land and other adjacent lands in the above mentioned Village was needed for the purpose of

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construction of Check Dam across River Elumitchaiyaru. As soon as the petitioners acquired knowledge about the said notification, they submitted their objections to acquisition to the respondents on 10.01.2026.

3.(iii) It was the specific case of the petitioners that the subject properties are agricultural lands wherein agricultural operations are carried out by the petitioners. It was also stated in the objections that there were uncultivated barren lands available adjacent to the petitioners' lands and hence, requested the respondents to exclude their lands from the acquisition proceedings and proceed to acquire the barren lands instead of petitioners' lands. The 3rd respondent by his impugned communication dated 15.04.2026 by relying on the impugned Administrative Sanction made by the 1st respondent in G.O.MS.No.92, Water Resources (N2) Department, dated 08.11.2022, overruled the objections. Hence, the petitioners were constrained to file these writ petitions.

4. The learned Senior Counsel appearing for the petitioners assailed the impugned orders of the respondents mainly on the following grounds:-

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(i) No individual notices were issued to the petitioners calling for objections against the acquisition. The person, who said to have represented the petitioners in the enquiry conducted by the 2nd respondent under Section 15(2) of the Right to Fair Compensation Act is not the authorised representative of the petitioners.

(ii) The respondents failed to consider the availability of uncultivated barren lands in the nearby vicinity and hence, the Rule 14(C) of Tamil Nadu Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Rules, 2017 (hereinafter referred to as the 'Tamil Nadu Rules 2017' for brevity) has not been complied.

(iii) The respondents have not conducted any Social Impact Assessment study in consultation with Local Panchayat before initiating the acquisition proceedings.

(iv) The respondents have not given reasonable opportunity to the petitioners to make their objections to the acquisition and hence, their right to object has been violated.

(v) The 3rd respondent has not given any valid reason for overruling the objections and hence, his order is vitiated.

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5. In support of his contention, the learned Senior Counsel for the petitioners relied on the following judgments:-

(i) ***Kolkata Municipal Corporation and another vs. Bimal Kumar Shah and others*** reported in ***(2024) 10 SCC 533***.

(ii) ***I.I.S. Employees' House Building Coop. Socieity Ltd., vs. State of Karnataka and others*** reported in ***(2005) 12 SCC 483***.

(iii) ***Raghbir Singh Sehrawat vs. State of Haryana and others*** reported in ***(2012) 1 SCC 792***.

(iv) ***Ravisam vs. Government of Tamil Nadu*** reported in ***2020 (2) CWC 210***.

(v) ***S.R.Krishnamoorthi and others vs. The State of Tamil Nadu and another*** reported in ***2001 Supreme (Mad) 1049 : 2001 (3) MLJ 576***.

6. Per contra, the learned Additional Advocate General appearing for the respondents would submit that proper notice was issued to the petitioner in W.P.(MD).No.21260 of 2026 for the enquiry regarding the objections under Section 15(2) of the Right to Fair Compensation Act and he was represented by his Farm Manager-M.Mariyappan in the said enquiry. Therefore, according to the learned Additional Advocate

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General, the submission regarding non-issue of notice and failure to give reasonable opportunity to the petitioners are unacceptable. The learned Additional Advocate General by drawing the attention of this Court to Sections 186 and 187 of the Indian Contract Act, 1872 would submit that the Farm Manager-M.Mariyappan has got implied authority to represent his Principals namely the petitioners. As far as the petitioners in W.P.(MD).Nos.27406 and 27405 of 2026 are concerned, it was conceded by the learned Additional Advocate General that no individual notices were issued to them for enquiry under Section 15(2) of the Right to Fair Compensation Act. However, according to the learned Additional Advocate General, they had sufficient knowledge of the enquiry as notice was served on the petitioner, who happens to be one of the family member.

7. The learned Additional Advocate General also submitted that under Section 11 of the Right to Fair Compensation Act, no individual notice to affected land owners is contemplated. It is also submitted that individual notice for enquiry under Section 15(2) of the Right to Fair Compensation Act, is necessary only for the persons, who submitted their objections in response to the preliminary notification under Section 11 of the Right to Fair Compensation Act. According to him, in the case on

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hand, the petitioners never responded to the preliminary notification under Section 11 of the Right to Fair Compensation Act and hence, the question of issuing individual notice to the petitioners will not arise.

8. The learned Additional Advocate General further submitted that the impugned order passed by the 3rd respondent is only a communication to the petitioners regarding the acquisition proceedings and it is not an order overruling their objections. It is also submitted that the petitioners failed to submit their objections before final notification under Section 19(1) of the Right to Fair Compensation Act and hence, any objections submitted by the petitioners after publication of final notification, need not be considered. The learned Additional Advocate General also raised a preliminary point that the writ petition in W.P.(MD).No.21260 of 2026 is not at all maintainable without challenging the preliminary notification or final notification as petitioner challenges only the Administrative Sanction and the communication of the Special District Revenue Officer (Land Acquisition).

9. Heard the learned Senior Counsel appearing for the petitioners and the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

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10. The core contention raised by the learned Senior Counsel appearing for the petitioners is that absence of an individual notice to the petitioners and the denial of right of hearing under Section 15(2) of the Right to Fair Compensation Act. In the counter affidavit filed by the respondents to W.P.(MD).No.21260 of 2026, it is asserted that individual notice was sent to the petitioner and his representative-M.Mariyappan participated in the enquiry. It is also asserted that notices were sent to the other interested persons also by way of speed post.

11. A perusal of the typed-set of papers filed before this Court would indicate that the individual notice in Form-V was sent to the petitioners and the same was received by one M.Mariyappan describing himself as Farm Manager. However, in the said notice, the full address of the petitioner in W.P.(MD).No.21260 of 2026 has not been mentioned. It is also seen from the typed-set of papers that the individual notice was also sent to the Pune address of the petitioner and the same was received on 22.05.2025. The postal acknowledgement dated 22.05.2025 produced in the typed-set of papers has not been disputed by the petitioner in W.P.(MD).No.21260 of 2026. In the absence of any specific stand by the petitioner disputing the postal acknowledgement dated 22.05.2025, though the signature of the petitioner is not found thereon, it is clear that

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somebody in the Office of the petitioner received it and it is not the case of the petitioner that it was served on unknown person. The address mentioned in the postal acknowledgement card is also not disputed by the petitioner. Therefore, this Court comes to the conclusion that the individual notice for Section 15(2) of the Right to Fair Compensation Act has been properly served on the petitioner in W.P.(MD).No.21260 of 2026.

12. It is vehemently contended that the person, who represented the petitioner is not the authorised representative of the petitioner. It is seen from the typed-set of papers filed by the respondents that one M.Mariyappan describing himself as Farm Manager, appeared on behalf of petitioner-David Koil Pillai and objected to the land acquisition. In the letters submitted by him before the Authority, he has not given any specific objection except to say that out of 70 acres proposed to be acquired from the petitioner, the acquisition proceedings shall be restricted to only 20 acres and the remaining lands shall be released from the acquisition proceedings. It is vehemently contended that the said M.Mariyappan is not the authorised representative. Though there is no material available on record to suggest M.Mariyappan was the authorised representative of the petitioner, when enquiry notice has been served on

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the petitioner in his Pune address, the non-participation of the petitioner in the enquiry will not vitiate the final notification. In the light of the documents available in the typed-set of papers of the respondents produced before this Court especially the postal acknowledgement card dated 22.05.2025, this Court comes to the conclusion that Section 15(2) enquiry notice was served on the petitioner at his Pune address and the submission made by the learned Senior Counsel appearing for the petitioners that no individual notice was served on the petitioner is not acceptable as far as the petitioner in W.P.(MD).No.21260 of 2026 is concerned.

13. As far as the petitioners in other two writ petitions in W.P.(MD).Nos.27406 and 27405 of 2026 are concerned, the respondents have not produced any material to establish that individual notices were served on them. Though in the counter affidavit filed in W.P.(MD).No.21260 of 2026, it was asserted that individual notices were sent to all interested persons, the respondents are not chosen to file counter affidavit to writ petitions in W.P.(MD).Nos.27406 and 27405 of 2026, denying the averment of the petitioners that no individual notice was served on them.

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14. At the time of argument, no materials have been produced before this Court to show that individual notices were served on the writ petitioners in W.P.(MD).Nos.27405 and 27406 of 2026. The learned Additional Advocate General at the time of argument fairly conceded that no individual notices were served on the petitioners in W.P.(MD).Nos.27406 and 27405 of 2026. Hence, this Court comes to the conclusion that Section 15(2) enquiry notice was not served on the petitioners in W.P.(MD).Nos.27406 and 27405 of 2026 individually. However, it was argued by the learned Additional Advocate General that neither the Act nor the Rules contemplate service of individual notices and general notification in the Official Gazette, Newspapers etc., are deemed to be a sufficient service. It is also submitted that the petitioners failed to file their objections to the preliminary notification under Section 11 of the Right to Fair Compensation Act and hence, notice to them for the purpose of Section 15(2) enquiry is not at all necessary. In other words, it is the specific submission of the learned Additional Advocate General that only in cases where the land owners objected to acquisition in response to the preliminary notification, indivitual notice to them is necessary in the Section 15(2) enquiry. As far as the land owners, who failed to object to the preliminary notification, no separate notice is necessary for the purpose of conducting Section 15(2) enquiry.

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15. In ***Padmavathi and others vs. The State of Tamil Nadu and others*** reported in ***(1978) 1 MLJ 223 : MANU/TN/0408/1976***, a Full Bench of this Court came to the conclusion that under the Scheme of Old Land Acquisition Act, there was no necessity to issue individual notice to the persons aggrieved. The relevant observation reads as follows:-

> *"54. For the reasons stated above we do not feel persuaded to imply in the provisions of Section 4(1) and Section 5A of the Act, the necessity for issuing individual notices to persons aggrieved, promoted by consideration of natural justice. This means that the writ petitioners cannot make a grievance of not having been individually served with notices of acquisition."*

16. However, in a subsequent judgment in ***P.C.Thanikavelu vs. The Special Deputy Collector for Land Acquisition, Madras and others*** reported in ***AIR 1989 Mad 222 : MANU/TN/0227/1989***, a contrary view was taken by a subsequent Full Bench of this Court. In the said decision, the subsequent Full Bench referred to the ***Padmavathi*** case cited supra and held that the decision in ***Padmavathi*** case did not reflect the true statement of law. In ***P.C.Thanikavelu*** case, the Full Bench held that even in the absence of express reference to observance of principles of natural justice, but such principles should be followed whenever it affects the

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rights of the parties. In case of compulsory acquisition of land, the right of individual land owners are affected and hence, they should be put on notice before their lands are acquired and their objection shall be heard and considered. It is also held that the enquiry contemplated under Section 5A of the Act would get fulfilled and become complete only when the person, who is really interested in the land is put on notice. However, it was held that individual notice is mandatory only to those persons whose names are found in the revenue records or who are found by the Collector as persons interested on the land based on information received through reliable source. The relevant observation reads as follows:-

> *"6. …… … It is true that the Government has the prerogative to acquire lands belonging to individuals for a public purpose sanctioned under the theory of 'eminent domain'. But the rule of law which governs and controls the executive functions in the thread that runs through the fabric of constitutional democracy, the rule of law behoves the Government to act fairly and reasonably and the principles of natural justice are the quintessence of such fair play and reasonableness. The decision reported in Padmavathi v. State of Tamil Nadu, (1978) 91 MLW 80 does not reflect the true statement of law. The Supreme Court has held in Swadeshi Cotton Mills v. Union of India, MANU/SC/0048/1981 : (1981) 2 SCR 533 that even in the*

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absence of express reference to observance of principles of natural justice, such principles should be followed whenever it affects the rights of parties. It cannot be gainsaid that when the lands of an individual are acquired, albeit he may be paid compensation, his civil rights may be affected. It is therefore elementary that, to be consistent with the principles of natural justice, such a person should be put on notice before his lands are acquired and his objection heard and considered. The enquiry contemplated under Section 5A of the Act would be full and complete only when the person who is really interested in the land is put on notice. But, at the same time, it is made clear that individual notice is mandatory only to those persons whose names are found in the revenue records or who are found by the Collector as persons interested on information received through reliable source."

17. In ***Kolkata Municipal Corporation and another vs. Bimal Kumar Shah and others*** reported in ***(2024) 10 SCC 533***, the Hon'ble Apex Court has held that Right to Property recognised under Article 300-A of the Constitution of India has got 'seven facets' when it is understood in the context of compulsory land acquisition. The relevant observation of the Hon'ble Apex Court reads as follows:-

"30. What then are these sub-rights or strands of this swadeshi constitutional fabric constituting the right to

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property? Seven such sub-rights can be identified, albeit non-exhaustive. These are:

i) the duty of the State to inform the person that it intends to acquire his property – the right to notice,

ii) the duty of the State to hear objections to the acquisition – the right to be heard,

iii) the duty of the State to inform the person of its decision to acquire – the right to a reasoned decision,

iv) the duty of the State to demonstrate that the acquisition is for public purpose – the duty to acquire only for public purpose,

v) the duty of the State to restitute and rehabilitate – the right of restitution or fair compensation,

vi) the duty of the State to conduct the process of acquisition efficiently and within prescribed timelines of the proceedings – the right to an efficient and expeditious process, and

vii) the final conclusion of the proceedings leading to vesting – the right of conclusion.

31. These seven rights are foundational components of a law that is tune with Article 300A, and the absence of one of these or some of them would render the law susceptible to challenge. The judgment of this Court in K.T. Plantations (supra)15 declares that the law envisaged under Article 300A must be in line with the overarching principles of rule of law, and must be just, fair, and reasonable. It is, of

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course, precedentially sound to describe some of these sub-rights as 'procedural', a nomenclature that often tends to undermine the inherent worth of these safeguards. These seven sub-rights may be procedures, but they do constitute the real content of the right to property under Article 300A, non- compliance of these will amount to violation of the right, being without the authority of law."

18. As far as the present case on hand is concerned, we are concerned with two of the above mentioned sub-rights recognised by Hon'ble Apex Court namely (i) the right to notice, (ii) the right to be heard. Section 11, Section 15, Section 19 of the Right to Fair Compensation Act, deal with these two rights. Section 11 talks about issuance of preliminary notification regarding proposal of the Government to acquire the lands. Section 15 talks about hearing of objections to the acquisition proceedings. Section 19 talks about the final declaration after considering the objections.

19. As far as the preliminary notification under Section 11 of the said Act is concerned, no individual notice is contemplated. Section 11 (1)(a) to (e) of the Right to Fair Compensation Act read with Rule 13(1) and (2) of the Tamil Nadu Rules 2017 would indicate that no individual notice is necessary as far as the preliminary notification is

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concerned. Rule 13(3) of Tamil Nadu Rules 2017 mandates that after preliminary notification, the Collector shall undertake and complete the exercise of updating land records within a period of two months.

20. It was submitted on behalf of the respondents by relying on Section 15(2) of the Right to Fair Compensation Act, that individual notice is not necessary to all the land owners, but it is necessary only for the persons, who submitted their objections in response to the preliminary notification.

21. A perusal of Section 15 of the Right to Fair Compensation Act would indicate that there is no express mandate to issue individual notices to the affected land owners. Section 15(2) of the said Act only mandates consideration of objections under Section 15(1) of the Right to Fair Compensation Act. If we say that no individual notice is necessary for affected land owners, the right to notice and the right to be heard which are recognised as essential facets of constitutional guarantee under Article 300-A of the Constitution of India in ***Kolkata Municipal Corporation*** case will remain only in paper. If no individual notices are issued atleast to the land owners, whose names are entered in the revenue records, the enquiry contemplated under Section 15 of the Right to Fair

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Compensation Act, will become a mere formality and it will not serve any substantial purpose.

22. Rule 14 of the Tamil Nadu Rules, 2017 mandates that the Collector shall issue a notice inviting objections to the preliminary notification in Form-V. A perusal of the typed-set of papers would indicate that Form-V notice was issued to the petitioner in W.P. (MD).No.21260 of 2026. Rule 14 of the said Rules, does not say how Form-V notice shall be served on the noticees. In the absence of any provision in the statutory rules enabling authorities to serve Form-V notice by resorting to any other method except by individual notice, we should take it as mandate to serve notice individually to the noticees.

23. Section 11 of the Right to Fair Compensation Act read with Rule 13 of the Tamil Nadu Rules 2017, describes the manner in which the preliminary notification shall be issued. The said provisions do not contemplate service of individual notices, it only contemplates general or public notice. Section 15 of the Right to Fair Compensation Act, mandate the Collector to hear objections. It also says the Collector shall give objector an opportunity of being heard in person. Rule 14 of the Tamil Nadu Rules 2017, mandates that the Collector shall issue a notice in

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Form-V and hear objections. In the absence of any indication either in the Section in Parent Act (namely Section 15) and under Rule 14 of the Tamil Nadu Rules 2017, regarding the manner of service, it shall be taken that noticees shall be served personally.

24. In fact, the enquiry contemplated under Section 15 of the Right to Fair Compensation Act is akin to the enquiry contemplated under Section 5A of Old Land Acquisition Act. As mentioned earlier, a Full Bench of this Court in ***P.C.Thanikavelu*** case cited supra, held individual notice to land owners whose names are recorded in the revenue records is mandatory, the same has been subsequently followed by a Division Bench of this Court in ***Ravisam vs. Government of Tamil Nadu*** reported in ***2020 (2) CWC 210***. Therefore, I hold individual notices to the affected land owners whose names are recorded in the revenue records are mandatory for the purpose conducting the enquiry under Section 15 of the Right to Fair Compensation Act read with Rule 14 of Tamil Nadu Rules 2017.

25. This Court already came to the conclusion that individual notice was properly served on the petitioner in W.P.(MD).No.21260 of 2026. Therefore, the submission made by the learned Senior Counsel for

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the petitioner regarding absence of notice is not appealable to this Court. As far as the petitioners in W.P.(MD).Nos.27406 and 27405 of 2026 are concerned, this Court came to the conclusion that individual notices were not served on them prior to the Section 15(2) enquiry. Therefore, the final notification under Section 19 of the said Act gets vitiated and the land acquisition proceeding is liable to be quashed from the stage of Section 15(2) enquiry.

26. It was contended by the learned Senior Counsel appearing for the petitioners that no Social Impact Assessment Study was conducted by the respondents. However, a perusal of the counter affidavit filed by the respondents would indicate Social Impact Assessment Study was conducted by an agency called ‘Quadrant Pole Private Limited, Madurai’. The notification of Social Impact Assessment issued under Section 4(1) of the Right to Fair Compensation Act. The notification issued in the Daily Newspapers the Social Impact Assessment report submitted by the Expert Committee dated 04.12.2024 and the order passed by the District Collector approving the recommendations of the Expert Committee under Section 8 of the Right to Fair Compensation Act etc., are produced in the typed-set of papers. Therefore, the submission made by the learned Senior Counsel for the petitioners that no proper Social Impact

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Assessment Study was conducted by the respondents is not appealable to this Court.

27. The learned Senior Counsel appearing for the petitioners also submitted that the impugned order passed by the 3rd respondent contains no reasons for overruling the objection of the petitioners and hence, the same is liable to be set aside. A narration of the facts leading to filing of these writ petitions would indicate the petitioners failed to file any objection in response to the preliminary notification. The objections of the petitioners were filed only after final notification under Section 19 of the Right to Fair Compensation Act. As per the Scheme of the Act, after publication of final notification, the 3rd respondent is not entitled to consider the objections of the petitioners. Therefore, as rightly contended by the learned Additional Advocate General appearing for the respondents the impugned communication of the 3rd respondent cannot be treated as an order overruling the objections of the petitioners. It is only a communication intimating the petitioners about the acquisition proceedings of the respondents. If at all the objections of the petitioners can be considered only by the 2nd respondent that too in an enquiry under Section 15 of the Right to Fair Compensation Act. The petitioner in W.P.(MD).No.21260 of 2026, inspite of service of individual notice, failed to

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submit his objections. The objection letters submitted by the alleged Authorised Agent-M.Mariyappan does not contain any substantial objection, he only sought for release of portion of the lands sought to be acquired. As far as the other petitioners are concerned, they not even submitted objections as no notice was served on them. In such circumstances, the impugned order passed by the 3rd respondent cannot be treated as an order overruling the objections of the petitioners. At the most, it can only be treated as a communication to the petitioners regarding the acquisition proceedings. The 3rd respondent has no power to consider the objection. Further the question of considering the objections after final notification is not at all contemplated. Hence, the said submission made by the learned Senior Counsel appearing for the petitioners is not acceptable to this Court.

28. In the light of the discussions made earlier, the Writ Petition in W.P.(MD).No.21260 of 2026 stands dismissed. The Writ Petitions in W.P.(MD).Nos.27406 and 27405 of 2026 are partly allowed by quashing the impugned notification issued by the 2nd respondent in Na.Ka.No.Na.Ni.E.3/61/2022, dated 26.11.2025, insofar as said petitioners are concerned. The respondents are given liberty to continue the land acquisition proceedings from the stage of Section 15(2) enquiry,

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after issuing the individual notices to the petitioners W.P.(MD).No.27405 and 27406 of 2026.

29. All the Writ Petitions are disposed of as indicated above. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

29.10.2026
(1/2)

Index: Yes
Speaking order
Neutral Citation: Yes
dm

To

1. The Additional Chief Secretary to Government,
   Water Resources Department,
   Fort St. George, Chennai.

2. The District Collector
   Tirunelveli District,
   Tirunelveli.

3. The Special District Revenue Officer (Land Acquisition),
   Special District Revenue Office,
   River Interlinking Project,
   Tirunelveli.

4. The Special Tahsildar (Land Acquisition),
   River Interlinking Project (Unit-7),
   Tirunelveli.

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S.SOUNTHAR, J.

dm

W.P.(MD).Nos.21260, 27405 and 27406 of 2026

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(1/2)

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