



W.P.(MD) No.28632 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.28632 of 2023

N.Mohamed Farook

... Petitioner

Vs.

1.National Highways Authority of India,
Represented by its Chairman,
G-5 and 6, Sector 10, Dwaraka,
New Delhi - 110 075.

2.National Highways Authority of India,
Represented by its Project Director,
No.3, Surya Tower, 2nd Floor, 1st East Street,
K.K.Nagar, Madurai.

3.The Authorized Officer (FZO) /
The Special District Revenue Officer,
Land Acquisition,
LA-NH, 785, NHAI, Madurai - 20.

4.The District Collector,
Madurai District.

5.The Tahsildar,
Madurai North Taluk, Madurai.

6.The Special Tahsildar,
Land Acquisition, LA-NH, 785-Unit-1,
Madurai – 20.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1, 2, 3 and 6 to pay just and equitable compensation for the occupied area as per the provisions of RFCTLARR Act 30 of 2013 of the petitioner's Land measuring 130 sq.ft. in S.No.153/4, corresponding to UDR T.S.No.12/4 in Sirudur Village, Madurai North Taluk, within a time frame to be fixed by this Court.

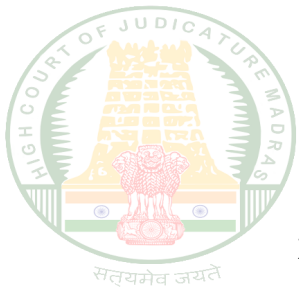
For Petitioner : Mr.T.S.R.Venkat Ramana
Senior Counsel
for Ms.V.Janaki Devi

For R1 and R2 : Mr.P.Karthick
Standing Counsel

For R3 to R6 : Mr.P.Rajagopalan
Standing Counsel

ORDER

The writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 and 6 to pay just and equitable compensation for the extent of the petitioner's land occupied by the respondents for the construction of a Road Over Bridge, measuring 130 square feet in Survey No.153/4, corresponding to UDR T.S.No.12/4, situated at Sirudur Village, Madurai North Taluk, within a time frame to be fixed by this Court.

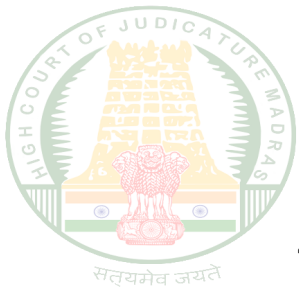


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2. The learned Senior Counsel appearing for the petitioner submitted that the land in question belongs to the petitioner. Earlier, there was a dispute with reference to certain private parties, which culminated in O.S.No.207 of 1995 on the file of the District Munsif Court, Melur. Upon dismissal of the suit, the petitioner preferred A.S.No.2 of 2002 before the Additional Sub Court, Madurai, which also came to be dismissed. Ultimately, the petitioner's claim was upheld in S.A.(MD)No. 384 of 2006. Consequent thereto, the revenue records were also mutated in the name of the petitioner.

3. In the meanwhile, a Road Over Bridge came to be constructed, and a portion of the petitioner's property, measuring about 130 square feet and situated within the limits of Madurai City, was occupied for the said purpose. According to the petitioner, since the civil dispute was then pending and the revenue records reflected the land as "Anadeenam", no compensation was earmarked for the said extent. However, the authorities had erected a pillar in the said land and the bridge construction has since been completed. The petitioner is not seeking removal of the pillar or demolition of any portion of the bridge, but seeks only payment of appropriate compensation for the land utilized.



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4. The learned Senior Counsel further submitted that the market value of the land is approximately Rs.1,500/- per square feet and, if calculated with the applicable multiplier, the value would be around Rs. 3,90,000/-. According to him, if compensation is determined by taking into account severance, frontage loss and other relevant factors in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the compensation payable would be approximately Rs.18,57,400/-. Since no compensation has been paid till date, the petitioner has approached this Court.

5. Per contra, the learned Standing Counsel appearing for the National Highways Authority of India submitted that, at the time of acquisition proceedings and issuance of notification, the land was reflected as Government-interest land and therefore no compensation was earmarked. It was only thereafter that the petitioner's title came to be conclusively established, upon receipt of the petitioner's representation, the National Highways Authority of India, by communication dated 03.02.2026, requested the sixth respondent to determine the value of the land and communicate the same to enable consideration of the petitioner's



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claim for compensation. Pursuant thereto, the sixth respondent issued a notice of enquiry dated 04.05.2026. However, the petitioner submitted a representation stating that, since the matter was pending before this Court, he would not participate in the enquiry proceedings.

6. The learned Standing Counsel appearing for the sixth respondent submitted that, if so directed by this Court, the authorities would complete the process of valuation in accordance with law and forward the same to the National Highways Authority of India for appropriate action.

7. In view of the above, this writ petition is disposed of on the following terms:

(i) It is stated that the petitioner is a senior citizen aged about 87 years. Therefore, the petitioner may either appear in person or authorize any person to appear on his behalf before the sixth respondent within a period of two weeks from the date of receipt of a web copy of this order. The petitioner is also at liberty to submit a written representation together with all relevant documents and materials in support of his claim for compensation.



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(ii) Upon receipt of the same, the sixth respondent shall consider the petitioner's claim in accordance with law, determine the value payable and forward the recommendation to the National Highways Authority of India for payment of compensation.

(iii) On receipt of such recommendation, the National Highways Authority of India shall consider the same and disburse the compensation determined in accordance with law within a further period of eight weeks thereafter.

(iv) Considering the advanced age of the petitioner, the authorities shall act on the basis of the web copy of this order and proceed expeditiously without insisting upon production of a certified copy.

(v) No costs.

18.06.2026

NCC : No
smn2

To

1.The Chairman,
National Highways Authority of India,
G-5 and 6, Sector 10, Dwaraka,
New Delhi - 110 075.



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- 2.The Project Director,
National Highways Authority of India,
No.3, Surya Tower, 2nd Floor, 1st East Street,
K.K.Nagar, Madurai.
- 3.The Authorized Officer (FZO) /
The Special District Revenue Officer,
Land Acquisition,
LA-NH, 785, NHAI, Madurai - 20.
- 4.The District Collector,
Madurai District.
- 5.The Tahsildar,
Madurai North Taluk, Madurai.
- 6.The Special Tahsildar,
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D.BHARATHA CHAKRAVARTHY, J.

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