



IN THE HIGH COURT OF JUDICATURE AT MADRAS DATED: 25-11-2025

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY WP NO. 46055 of 2025

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and W.M.P.Nos.51374 & 51375 of 2025

R.Kanchana No.34-f, Kamakodi Street, Fairlands, Salem- 636 016.

Petitioner(s)

Vs

The District Collector Salem, Salem District. and 2 Others

Respondent(s)

For Petitioner(s):

Mr.K.Selvaraj

For Respondent(s):

Mr.P.Sathish,

Additional Government Pleader

ORDER

Mr.P.Sathish, learned Additional Government Pleader takes notice on behalf of the respondents.

2. Learned counsel for the petitioner submitted that with an intention to acquire the petitioner's land, the respondents entered into a settlement in terms of Section 19(2) of the Tamil Nadu Highway Act, 2011 and thereafter the offer was made by the respondents to the petitioner on 12.08.2022, which was also accepted and the statement has also been recorded. Therefore, the respondents bound to pass an award based on the statement entered with the petitioner. However, now ignoring the agreement entered between the parties, the respondents once again issued a notice under Section 19(5) of the Act, 2001, which is not sustainable. Having recorded the statement of the petitioner would amounts to agreement to the proposals made by the respondents. Such being the case, there is no necessity to pass award under Section 19(5) of the Act, 2001. Because, if there is any disagreement on the part of petitioner alone, the matter will be referred to the Collector under Section 19(3) of the Act, 2001 and thereafter the question of determining the amount by the Collector under Section 19(5) will come into picture.

4. In the present case, unless and otherwise the petitioner disputing the proposal made by the respondents, the question of application of Section 19 (3) & (5) would not arise at all.

5. In view of the above, there shall be an order of interim stay for all the further proceedings.

6. List the case on 27.11.2025 under the caption "For orders".

25-11-2025

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To

1. The District Collector Salem, Salem District.

2. The Land Acquisition Officer/ The Special District Revenue Officer



(1.A) Highways, Salem Collectorate, Salem, Salem District.
3. The Divisional Engineer State Highways (project), Cinema Nagar,
Salem- 636 004 Salem District.



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