

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2018

CORAM

THE HON'BLE Mr. JUSTICE V.BHARATHIDASAN

W.P.No.20843 of 2018
and
W.M.P.No.24468 of 2018

T.Sekar .. Petitioner

Vs.

Special District Revenue Officer,
Land Acquisition,
Vellore. .. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to consider payment of adequate compensation to the petitioner for the proposed acquisition of his lands of 1755 sq.ft., the portion of the Kalyana Mandapam constructed over that area of land and the access road that had already been acquired without the knowledge and payment of compensation of the petitioner.

For Petitioner .. Mr.V.M.G.Ramakkannan

For Respondent .. Mr.D.Raja
Additional Govt. Pleader

ORDER

This writ petition is filed by the petitioner seeking a direction to the respondent to pay adequate compensation to the petitioner's land acquired by the respondent. The petitioner's land sought to be acquired for the purpose of maintenance, management operations and expansion of toll plaza at NH-45 and NH-46 a notice was also issued under Section 3(D) to that effect. Thereafter, no award has been passed. Hence, the petitioner is come forward with this writ petition.

2. When the matter is taken up for hearing, Mr.D.Raja, learned Additional Government Pleader appearing for the respondent submitted that award has already been passed by the

respondent under Section 3H(2) of the National Highways Act and a sum of Rs.61,22,574/- has also been awarded. Subsequently, the petitioner also received the entire award amount. In the circumstances, the petitioner has come forward with the present writ petition.

3. The learned counsel for the respondent has also produced a copy of the award passed by the respondent in and by his proceedings in Rc.G4/30/2010-1 dated .04.2018.

4. Heard both sides.

5. Considering the rival submissions made by both sides and on perusal of the copy of the award passed by the respondent, it is seen that the award has been passed as early as on 26.04.2018. If at all the petitioner has any grievance over the same, he can get the remedy under Section 3(G)5 of the National Highways Act. Since the award has already been passed by the respondent, the prayer sought for by the petitioner in this writ petition is no merits and hence, the writ petition deserves to be dismissed.

6. Accordingly, this writ petition is dismissed. The learned counsel appearing for the petitioner submitted that the respondent has not served copy of the award to the petitioner so far, Respondent is directed to serve copy of the award to the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

To
Special District Revenue Officer,
Land Acquisition,
Vellore.

+1cc to M/s.V.M.G.Ramakannan, Advocate SR.NO.60924
+1cc to Government Pleader SR.NO.61275

NRL(CO)
sm:16.10.2018

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