



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.07.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P. (MD) No.16731 of 2018

Sri Shirdi Sai Charitable Trust,
rep. by its Managing Trustee,
C.Nepalraj,
No.306, Arunachalam Colony,
Vadasery, Nagercoil - 629 001.

.. Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The Special District Revenue Officer (L.A.),
cum the Competent Authority NHAI,
National Highways - Nagercoil,
Kanniyakumari District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner, dated 14.02.2018 and pay the compensation, as per the Arbitral award passed by the 1st respondent, dated 17.01.2017, with an interest of 9% per annum in accordance with the provisions of the National Highways Act, 1956 and disburse the compensation amount within a time frame to be fixed by this Court.

For Petitioner
For Respondent

: Mr.G.V.Vairam Santhosh
: Mrs.J.Padmavathi Devi
Special Government Pleader

ORDER

The petitioner has come forward with the present Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner, dated 14.02.2018 and to pay the compensation, as per the Arbitral award passed by the 1st respondent, dated 17.01.2017, with an interest of 9% per annum in accordance with the provisions of the National Highways Act, 1956, within a stipulated time.

2. Mrs.J.Padmavathi Devi, learned Special Government Pleader,
<https://hcservices.ecourts.gov.in/hcservices/>
takes notice on behalf of the respondents.



3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The grievance of the petitioner is that though the first respondent had passed the arbitral award enhancing the compensation and directed the second respondent to pay the award amount to the petitioner as early as on 17.01.2017, till date the entire award amount has not been paid to the petitioner. In this regard, the petitioner has sent a representation, dated 14.02.2018, to the first respondent and the first respondent has in turn forwarded the same to the second respondent on 15.02.2018 for taking necessary action on the representation of the petitioner, dated 14.02.2018. Since the same has not been considered so far by the second respondent, the petitioner is before this Court with the present Writ Petition for the reliefs stated above.

5. Considering the limited scope of the prayer sought for by the petitioner in the present Writ Petition, without going into the merits of the case, a direction is given to the second respondent to consider and dispose of the representation of the petitioner dated 14.02.2018, which has been received by him by the proceedings of the first respondent in Na.Ka.No.Oo.Mu.U3/5781/2018, dated 15.02.2018, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

- 1.The District Collector,
Nagercoil,
Kanyakumari District.
- 2.The Special District Revenue Officer (L.A.),
cum the Competent Authority NHAI,
National Highways - Nagercoil,
Kanniyakumari District.

+1cc to Special Government Pleader, SR.No. 75766

+1cc to M/S.G.V.Vairam Santhosh, Advocate SR.No. 75600

Order made in
W.P. (MD) No.16731 of 2018
30.07.2018