



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.22259 of 2018

and

WMP (MD) No.20639 of 2018

A.Malaisamy

... Petitioner

Vs.

1.The Authorized Officer (Land Acquisition),
Thanjavur - Manamadurai,
National Highway Project,
District Collectorate,
Pudhukottai District.

2.The Special Tahsildar (Land Acquisition),
National Highways No.226,
Sivagangai.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to pass final orders on the petition submitted by the petitioner dated 25.07.2016 in the light of the enquiry conducted by the second respondent through the proceedings in Na.Ka.No.A1/75/2016 dated 30.03.2017 on 07.04.2017 within a time frame.

For Petitioner : Mr.B.Prahalad Ravi
For Respondents : Mr.Rajarajan,
Government Advocate

ORDER

The authorities initiated acquisition proceedings under the National Highways Act, 1956. The land comprised in Survey No.119/2 in Kottakudi Village measuring about 52.5 cents was acquired. The petitioner's case is that the compensation must be paid to him. However, the authorities appear to be of the view that the compensation will have to be paid to the temple in question. In this regard, the petitioner has already filed a petition dated 25.07.2016.

2.All that the petitioner now seeks is that the authorities cannot sit over his petition. Therefore, the first respondent is directed to take note of the provisions set out in 3-H (3 and 4) of the National Highways Act, 1956 and pass final orders on the



petitioner's claim petition dated 25.07.2016 on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. This Court has not expressed any opinion on the merits of the matter.

3. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-III)

To

1. The Authorized Officer (Land Acquisition),
Thanjavur - Manamadurai,
National Highway Project,
District Collectorate,
Pudhukottai District.

2. The Special Tahsildar (Land Acquisition),
National Highways No.226,
Sivagangai.

+1cc to Mr.B.Prahalad Ravi, Advocate, SR.No.95443

+1cc to M/s.Special Government Pleader, SR.No. 95385

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