



WEB COPY

W.P(MD)NO.8699 OF 2019
and
W.M.P(MD)No.6758 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)NO.8699 OF 2019
and
W.M.P(MD)No.6758 of 2019

Ramamoorthy

:Petitioner

.vs.

- 1.The Divisional Engineer,
National Highways Department,
Virudhunagar.
 - 2.The Planning Director,
National Highways Authority of India,
Madurai Division,
1/83, SBI First Colony Extension,
By Pass Road,
Madurai.
 - 3.The District Collector,
Virudunagar.
 - 4.The District Revenue Officer cum Authorized Officer,
Land Acquisition,
National Highways -7,
Virudhunagar.
 - 5.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.
- : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus restraining

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the respondents from evicting the Petitioner and his wife from the land in S.No.113/3C1A in Vatchakarapatty Village, Virudhunagar Taluk, Virudhunagar District and with consequential direction directing the respondents to act in accordance with the Award No.64/2007, dated 29.12.2008 passed by the fourth respondent.

For Petitioner :Mrs.Lakshmi Gopinathan
for M/s.S.Polax Legal Solution

For Respondent-2 :Mr.C.Arul Vadivel @ Sekar

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

This Writ Petition is filed seeking for issuance of a Writ of Mandamus restraining the respondents from evicting the Petitioner and his wife from the land in S.No.113/3C1A in Vatchakarapatty Village, Virudhunagar Taluk, Virudhunagar District and with consequential direction directing the respondents to act in accordance with the Award No.64/2007, dated 29.12.2008 passed by the fourth respondent.

2.Heard both sides.

3.Counter affidavit is filed by the second respondent,wherein, it is stated that the Writ Petitioner has already filed O.S.Nos.32 and 48 of 2014, on the file of the District Munsif Court, Virudhunagar in respect of the very same subject-matter property arraying the Project Director, National Highways Authority of India,Madurai Division as defendant in one suit. It is further submitted that though the said suits were dismissed on 6.10.2018, the Writ Petitioner has filed Appeal Suits before the Sub-Court, Virudhunagar in A.S.Nos.16 and 17 of 2019. It is further stated that in the above appeals, injunctions were granted. After saying so, the second respondent further stated that till the disposal of the appeal suits, pending before the Sub-Court, Virudhunagar, no action will be taken against the land in question.

4.The learned counsel for the Writ Petitioner submitted the above-said submission made by the second respondent may be recorded and the Writ Petition may be closed.

5.Accordingly, recording the above said submission made by the second respondent, this Writ Petition is closed. No costs.



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Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (III)

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

- 1.The Divisional Engineer,
National Highways Department,
Virudhunagar.
- 2.The Planning Director,
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Madurai Division,
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Land Acquisition,
National Highways -7,
Virudhunagar.
- 5.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.

+1 CC to M/s.LAKSHMI GOPINATHAN, Advocate (SR-81351[F] dated 13/08/2019)

+1 CC to M/s.C.ARUL VADIVEL, Advocate (SR-81582[F] dated 14/08/2019

+1 CC to M/s.SPL GP (SR-82025[F] dated 16/08/2019) (SR-81811[F] dated 14/08/2019)

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KK/SAR/03.09.2019/3P-9C/

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