



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.07.2020**

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.7800 of 2020

P.Ramamoorthy

...Petitioner

Vs

The Competent Authority cum

District Special Revenue Divisional

Officer (Land Acquisition)

National Highways 744-A,

Door NO.5A, Baskar Complex,

Besant Road, Chinnachokkikulam,

Madurai-2.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to furnish the copy of the award passed by the respondent in respect of the land in Survey No.452/A, 443 situated at Chinna Elanthaikulam Village, Vadipatti Taluk, Madurai District under National Highways Act, 1956.

For Petitioner

: Mr.N.Satheeshkumar

For Respondent

: Mr.M.Rajarajan

Government Advocate

ORDER

This Writ Petition is filed to direct the respondent to furnish the copy of the award passed by the respondent in respect of the land in Survey No.452/A, 443 situated at Chinna Elanthaikulam Village, Vadipatti Taluk, Madurai District, under National Highways Act, 1956.

2.Heard Mr.N.Satheeshkumar, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the respondent.

3.According to the petitioner, he is a cultivating tenant of the property in S.No.452/A, 443 situated at Chinna Elanthaikulam Village, Vadipatti Taluk, Madurai District and he is in continuous possession and enjoyment of the land as cultivating tenant. In the mean while, the petitioner was served notice dated 21.09.2019 under Section 3E (1) of National Highways Act, 1956 stating that the respondent has acquired the land for formation of National Highways No.744-A and further stated that for acquiring the land, the respondent had determined the compensation. Prior to the receipt of that notice, the petitioner has not received any communication by the respondent ,in respect of acquisition of his land. In this regard, the petitioner has made several representations and so far no action has been taken.



4.The learned counsel appearing for the petitioner submitted that Section 3-G(2) of National Highways Act, empowers to get compensation determined by the competent authority and likewise, Section 3(c) of the said Act, empowers to give objection in respect of the acquisition of land. He further submitted that the award passed by the respondent is against the provisions of National Highways Act. Therefore, to challenge the said award, a copy of the award shall be furnished to the petitioner.

5.The learned Government Advocate appearing for the respondent submitted that the request of the petitioner will be considered and the copy of the award will be furnished to the petitioner.

6.In the light of the aforesaid submissions made by the parties, this Court is inclined to direct the respondent to furnish the copy of the award to the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ns
To
The Competent Authority cum District
Special Revenue Divisional Officer (Land Acquisition)
National Highways 744-A,
Door NO.5A, Baskar Complex,
Besant Road,Chinnachokkikulam,
Madurai-2.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

W.P. (MD) No.7800 of 2020

SMA/06/08/2020/2P/2C