



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8154 of 2020

A.Nagarajan

... Petitioner

Vs.

1. The Competent Authority and Special District Revenue Officer,
(Land Acquisition - National Highways)
Tirunelveli,
Now at Observatory Street,
Opposite to Collectorate,
K.P.Road, Nagercoil.

2. The National Highways Authority of India (Beneficiary),
Rep. By the Project Director,
National Highways Authority of India,
Tirunelveli,
Now at Pleasant Nagar,
K.P.Road, Nagercoil.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner dated 22.12.2018 and reminder dated 15.02.2020 and serve on the petitioner, the award passed to the first respondent under Section 3G of the National Highways Act for the acquisition of 170 sq.mts of land of the petitioner comprised in Survey No.22/5B of Therekalputhoor Village, Agasteeswaram Taluk, Kanyakumari District notified in Na.Ka.No.J3/30/2010 dated 10.03.2017 under Section 3D(1) and 3G(3) of the National Highways Act and published on 12.03.2017 within the time stipulated by this Court.

For Petitioner : Mr.M.P.Senthil
for Mr.M.Azeem

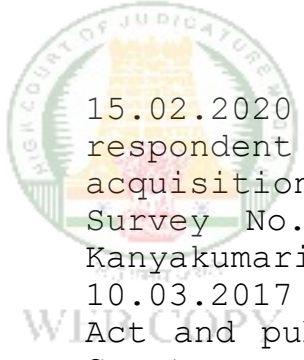
For R - 1 : Mr.M.Rajarajan,
Government Advocate.

For R - 2 : Mr.Su.Srinivasan

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner dated 22.12.2018 and reminder dated

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15.02.2020 and serve on the petitioner the award passed to the first respondent under Section 3G of the National Highways Act for the acquisition of 170 sq.mts of land of the petitioner comprised in Survey No.22/5B of Therekalputhoor Village, Agasteeswaram Taluk, Kanyakumari District notified in Na.Ka.No.J3/30/2010 dated 10.03.2017 under Section 3D(1) and 3G(3) of the National Highways Act and published on 12.03.2017 within the time stipulated by this Court.

2.When the matter is taken for hearing today (ie., 28.07.2020), Mr.M.Rajarajan, learned Government Advocate appearing for the first respondent submitted that the copy of the award dated 10.03.2017 has been served to the petitioner and further submitted that nothing survives for adjudication in the matter.

3.In view of the submission made by the learned Government Advocate, the learned counsel appearing for the petitioner submitted that he is not in a position to ascertain from the petitioner, for which, the learned Government Advocate undertakes to serve the copy of the award to the learned counsel appearing for the petitioner.

4.In view of the submissions made by the learned counsel appearing on either side, nothing survives for adjudication in the Writ Petition and accordingly, the same is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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.

To

1. The Competent Authority and Special District Revenue Officer,
(Land Acquisition - National Highways)
Tirunelveli,
Now at Observatory Street,
Opposite to Collectorate,
K.P.Road, Nagercoil.

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2. The Project Director,
National Highways Authority of India (Beneficiary),
National Highways Authority of India,
Tirunelveli,
Now at Pleasant Nagar,
K.P.Road, Nagercoil.

+1 CC to Mr.M.P. SENTHIL, Advocate (SR-13352[F] dated 30/07/2020)

Order made in
W.P. (MD) No.8154 of 2020
28.07.2020

VB (04.08.2020) 3P 4C