



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.08.2020**

CORAM

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

W.P. (MD) No.9095 of 2020

A.Sreedharan

...Petitioner

Vs

1.The District Collector,
Kanyakumari District Collectorate,
Nagercoil - 629 001.

2.National Highways Authority of India (NHAI),
represented by its Project Director,
Kanyakumari.

3.Special District Revenue Officer cum
competent authority, (LA-NH)
Tirunelveli.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to consider the appeal of the petitioner dated 09.07.2018 and the consequential reminder on 08.06.2020, by reconsidering the value of the petitioner's land in Re.Sy.No.684/6A of Vadasery Village in par with adjacent land value and to add multiplication of 1.25 and also to grant 100% solatium with 15% interest per annum.

For Petitioner	: Mr.K.P.Narayanakumar
For Respondents	: Mr.R.Sethuraman Special Government Pleader

ORDER

This Writ Petition is filed to direct the 1st respondent to consider the petitioner's appeal dated 09.07.2018.

2.According to the petitioner, he preferred an appeal dated 09.07.2018 before the 1st respondent seeking to reconsider the arbitral award by determining the enhanced market value for the land in Re.S.No.684/6A situated at Vadasery Village, Agatheeswaram Taluk. So far, no action has been taken by the 1st respondent. Hence, the writ petition.

3.The learned Special Government Pleader appearing for the respondents would submit that the petitioner's appeal dated 09.07.2018 would be considered on merits and in accordance with law, if it is in proper, within a time frame to be fixed by this Court.



4.Insofar as the submission of the learned Special Government Pleader is concerned, this Court is of the view that it is for the respondents to consider the petitioner's appeal dated 09.07.2018, including whether the same is in proper or not.

5.In the light of the above, without expressing any opinion on the merits of the case, this Court directs the 1st respondent to consider the petitioner's appeal dated 09.07.2018 and pass appropriate orders on merits and in accordance with law, by taking note of the period of limitation, within a period of twelve weeks 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

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Mm

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 District Collector,
Kanyakumari District Collectorate,
Nagercoil - 629 001.
 2. The Project Director,
National Highways Authority of India (NHAI),
Kanyakumari.
 - 3.Special District Revenue Officer cum
competent authority, Tirunelveli.
- +1 CC to Mr.K.P. NARAYANAKUMAR, Advocate SR-13927.

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