



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P (MD) No.17364 of 2020

Kalavathy

... Petitioner

Vs.

1.The District Collector,
Madurai District Collectorate,
Madurai-625 020.

2.The Special District Revenue Officer(LA-NH),
NH-785, National Highways of India,
D.No.5, Opp. to Arulmalar Matric School,
K.K.Nagar, Madurai- 625 002.

3.The Project Director,
NH-785, National Highways Authority of India,
307, Melur Main Road,
Madurai- 625 020.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the representation dated 28.10.2020 and to complete the enquiry in relation to the enhancement of compensation under Section 3G(5) of National Highways Act, 1953 for the land acquired in Award No.05/2019 on the file of the second respondent for the Survey No.49/3B1B to the total extent of 22 Square metre, situated in Kannanendhal (Addl III) Village at Madurai North Taluk of Madurai District for the purpose of formation of Four Laning and Widening of Madurai Natham Road (NH-785) within a stipulated time fixed by this Court.

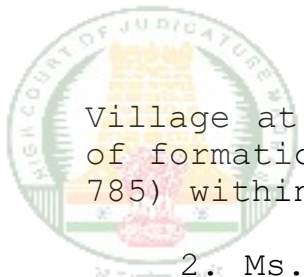
For Petitioner : Mr.C.Masilamani

For Respondents 1 and 2 : Mr.V.P.M.Vaishnavai
Government Advocate

For Respondent No.3 : Mr.C.Arul Vadivel alias Sekar

ORDER

This writ petition has been filed for issuance of a direction to the first respondent to consider the representation of the petitioner dated 28.10.2020 and to complete the enquiry in relation to the enhancement of compensation under Section 3G(5) of National Highways Act, 1953 for the land acquired in Award No.05/2019 on the file of the second respondent for the Survey No.49/3B1B to the total extent of 22 Square metre, situated in Kannanendhal (Addl III)



Village at Madurai North Taluk of Madurai District for the purpose of formation of Four Laning and Widening of Madurai Natham Road (NH-785) within a stipulated time.

2. Ms.V.P.M.Vaishnavi, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.Arul Vadivel alias Sekar, takes notice for the third respondent. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner has submitted his representation, dated 28.10.2020 to the first respondent, in order to enhance compensation under Section 3G(5) of National Highways Act, 1953 for the land acquired in Award No.05/2019 on the file of the second respondent for Survey No.49/3B1B to the total extent of 22 sq.mt. in Kannanendal Village, Madurai North Taluk, Madurai District. So far no action has been taken by the first respondent. Hence, the petitioner approached this Court.

4. Learned counsel for the petitioner further submitted that it would suffice, if the representation of the petitioner dated 28.10.2020 is disposed of by the first respondent at the earliest.

5. Learned Government Advocate appearing for the respondents 1 and 2 would submit that the first respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 28.10.2020 submitted by the petitioner and to pass appropriate orders in accordance with law, after hearing the petitioner and the persons, who are interested or the persons who will likely to be affected, within a period of six months, preferably, on or before 30th June, 2021, if there is no legal impediment to do so.

7. With the above direction, the writ petition is disposed of. No costs.

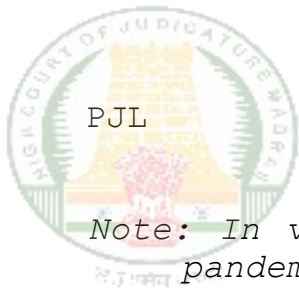
Sd/-

Assistant Registrar (Records)

// 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 District Collector,
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NR (22/12/2020) 3P : 3C