



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.03.2020

C O R A M

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

**W.P. (MD)No.18350 of 2015
and
M.P. (MD)No.1 of 2015**

M.Pavulraj

... Petitioner

Vs.

- 1.The Secretary,
Ministry of Road Transport and Highways, New Delhi.
 - 2.The Project Director,
National Highways Authority of India,
No.83/1, SBI First Colony Extension, Bye Pass Road, Madurai.
 - 3.The District Collector,
Dindigul District, Dindigul.
 - 4.The Competent Authority cum
District Revenue Officer,
National Highways Authority of India,
No.11/A, Indira Nagar, Sennamanaickkanpatti,
Dindigul.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records from the office of the Fourth Respondent vide his impugned proceedings in R.O.C.No.1807/2010/A3, dated 10.01.2013 issued to the petitioner and quash the same as illegal besides directing the Respondents to pay proper compensation as contemplated under the National Highway Act for properties of the Petitioner in survey NO.60/1D2 to an extent of 2 cents and in survey number 138/48 to an extent of 8 ½ cents in Vakkampatty Village, Aathur Taluk, Dindigul District within a stipulated time to be fixed by this Court.

For Petitioners : Mr.A.L.Kannan
for Mr.P.Surli Raja
For Respondent 2 : Mr.Arul Vadivel @ Sekar

ORDER

When it is pointed out by the Learned Standing Counsel for the Second Respondent that the Petitioner has got an effective alternative remedy to make Application for enhancement of compensation before the Jurisdictional District Collector, who has



been appointed as Arbitrator by the Central Government under Section 3-G(5) of the National Highways Act, the Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

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2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is also made clear that for computing limitation for filing such application, the period from the date of presentation of this Writ Petition i.e., 08.10.2015 till the date on which certified copy of this order is made ready by the Registry, shall be excluded. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Secretary,
Ministry of Road Transport and Highways, New Delhi.
- 2.The Project Director,
National Highways Authority of India,
No.83/1, SBI First Colony Extension,
Bye Pass Road, Madurai.
- 3.The District Collector,
Dindigul District, Dindigul.
- 4.The Competent Authority cum
District Revenue Officer,
National Highways Authority of India,
No.11/A, Indira Nagar, Sennamanaickkanpatti, Dindigul.

+1 CC to M/s.Special Govt.Pleader (SR-10190[F] dated 05/03/2020)
+1 CC to M/s.C.ARUL VADIVEL@SEKAR, Advocate (SR-10220[F] dated
05/03/2020)

W.P. (MD)No.18350 of 2015
04.03.2020

sj

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