



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2020

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THE HON'BLE MR. JUSTICE P.D.AUDIKESSAVALU

W.P. (MD)No.26626 of 2019
and
W.M.P. (MD)No.22972 of 2019

V.Alfred : Petitioner

Vs.

- 1.The Secretary,
Ministry of Transport and Highways,
Government of India, New Delhi.
- 2.The Project Director,
National Highways Authority of India,
Tirunelveli, at Nagercoil.
- 3.The Arbitrator and the District Collector,
Kanniyakumari District, Nagercoil.
- 4.The Competent Authority of Land Acquisition (CALA)
cum The Special District Revenue Officer(Land Acquisition)
National Highways, Tirunelveli,
Observatory Street, Nagercoil. : Respondents

Prayer :- Writ petition filed under Article 226 of Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the Fourth Respondent in Roc.J3/6/2010, modification Award No.8 of 2015-2018, dated 14.10.2019 and quash the same in so far as the quantum of award is concerned and directing the Third Respondent to pass modification order by awarding enhancement of the compensation to the petitioner by fixing appropriate market value by following Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and with the clarification letter by the First Respondent, dated 08.08.2016 and in the light of order passed in W.A.(MD)No.402 and 403 of 2016, dated 26.03.2018 and as per petitioner's representation dated 16.11.2019.

For Petitioner : Mr.K.K.Kannan
For R1 : Mr.M.Ashok Kumar,



Central Government Standing Counsel.
For R2 : Mr.C.Arulvadivel @ Sekar
For R3 and R4 : Mr.M.Rajarajan,
Government Advocate.

ORDER

Learned Counsel for the Respondents submits that apart from challenging the order dated 14.10.2019 passed by the Fourth Respondent, the Petitioner had also sought for the same relief of enhancement of compensation by raising an arbitration dispute before the Third Respondent, which has been disposed by Order in Na.Ka.Vu3/30066/2018 dated 07.02.2020 passed in that regard, and he has also produced a copy of the same. Learned Counsel for the Petitioner acknowledges its receipt. In view of the subsequent developments, nothing remains for further adjudication in this Writ Petition.

2. Accordingly, this Writ Petition is disposed. Consequently, connected Miscellaneous Petition is closed. No Costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
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Government of India, New Delhi.
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WP(MD)No.26626 of 2019

+1 CC to M/s.K.K.KANNAN, Advocate (SR-10149[F] dated 05/03/2020)

+1 CC to M/s.M.ASHOK KUMAR, Advocate (SR-10373[F] dated 06/03/2020)

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SJ

KK/12.05.2020/ 3P- 7C