

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.04.2021

CORAM :
THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10682 of 2021
and
WMP Nos.11309, 11310 & 11311 of 2021

M.Peruma

... Petitioner

-Vs-

- 1 The Secretary to Government
Ministry of Road Transport and Highways
Government of India,
National Highways Authority of India,
G 5 and 6 Sector -10,
Dwaraka, New Delhi-110 075.
- 2 The District Collector,
Collectorate office,
Dharmapuri District,
Dharmapuri-15.
- 3 Competent Authority and Special District
Revenue officer - Land Acquisition,
National Highways -844,
(Hosur-Royakottai -Dharmapuri section)
Dharmapuri.

.... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned award in ROC. 11/2018/LA dated 29.01.2021 issued by the 3rd respondent and quash the same and direct the 2nd respondent to dispose of the petitioners appeal representation dated 02.04.2021 within the time frame to be fixed by this Honourable court and re-fix the compensation as per the provision of section 26(1) a and b of the Central Act 30 of 2013.

For Petitioner : Mr.S.Thanka Sivan
For Respondent : Mr.D.Raja,
Addl.Goverment Pleader - for R2
Mr.N.Ramesh,
Standing Counsel - for R1

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed challenging the award dated 29.01.2021 passed by the Acquisition Officer, the 3rd

respondent herein.

2. Admittedly, challenging the award, already the petitioner has approached the 2nd respondent District Collector under Section 3-G(5) of National Highways Act, and the same is pending with the 2nd respondent. In the said circumstances, once again, the petitioner cannot file a Writ Petition challenging the very same award. Hence, this Writ Petition is not maintainable. Accordingly, this Writ Petition stands dismissed. However, the matter is pending with the 2nd respondent, the 2nd respondent is directed to consider the same and pass suitable orders on merits in accordance with law after giving opportunity to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Government
Ministry of Road Transport and Highways
Government of India,
National Highways Authority of India,
G 5 and 6 Sector -10,
Dwaraka, New Delhi-110 075.
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National Highways -844,
(Hosur-Royakottai -Dharmapuri section)
Dharmapuri.

+1cc to Mr.S.Thankasivam, Advocate, S.R.No. 26658

+1cc to the Government Pleader, S.R.No. 26765

W.P.No.10682 of 2021

RSV(CO)
GN(12/07/2021)