

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.04.2021
CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10990, 10995, & 11001 of 2021
and
WMP Nos.11630, 11633, 11637, 11640, 11645, & 11646 of 2021

Kaveri ... Petitioner in W.P.10990/2021
Selvam ... Petitioner in W.P.10995/2021
Eswaran ... Petitioner in W.P.11001/2021

-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. Special District Revenue officer - Land Acquisition,
National Highways -844,
(Hosur-Royakottai -Dharmapuri section)
Dharmapuri.Respondents in all W.Ps

Prayer in W.P.Nos.10990 & 10995 of 2021 : 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.No.11/2018/LA dated 18.01.2021 issued by the 3rd respondent and quash the same and direct the 2nd respondent to dispose of the petitioners appeal/representations dated 13.02.2021 & 30.03.2021, and 16.02.2021 & 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.

Prayer in W.P.No.11001 of 2021 : 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.No.11/2018/LA dated 18.01.2021 issued by the 3rd respondent in respect of S.No.626/1, Erranahalli Village, Palacode Taluk, Dharmapuri

covered in Patta No.296 and imugned award dated 15.02.2021 passed by the 3rd respondent in respect of S.No.627/1 , Erranahalli Village, Palacode Taluk, Dharmapuri covered in Patta No.2600, and quash the same and direct the 2nd respondent to dispose of the petitioners appeal/representations dated 20.04.2021 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
in all W.Ps.

For Respondents : Mr.D.Raja,
in all W.Ps. Addl.Goverment Pleader
for R2&R3

Mr.N.Ramesh,
Standing Counsel
for R1

C O M M O N O R D E R

(These cases have been heard through video conference)

All the Writ Petitions have been filed challenging the award dated 18.01.2021 and 15.02.2021 passed by the Acquisition Officer, the 3rd respondent herein.

2. Admittedly, against the award, already the petitioners have approached the 2nd respondent District Collector by way of filing an appeal challenging the award 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 petitioners cannot file a Writ Petition challenging the very same award. Hence, these Writ Petitions are not maintainable. Accordingly, all the Writ Petitions stands dismissed. However, considering the fact that the appeal 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 petitioners 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.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

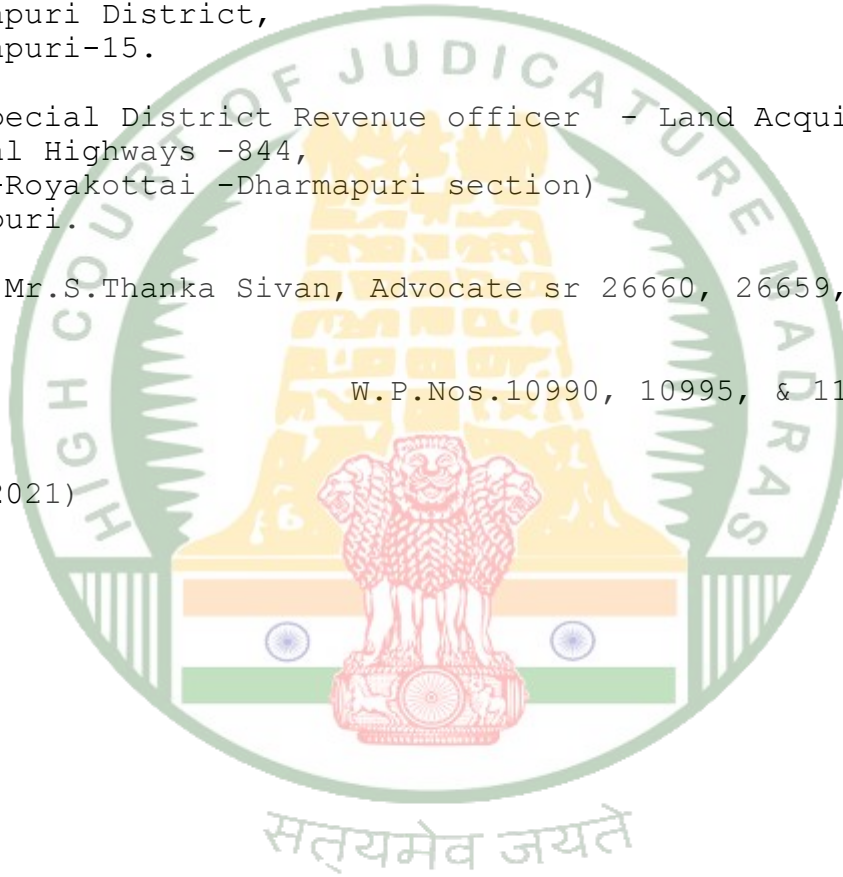
mrp

To

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(Hosur-Royakottai -Dharmapuri section)
Dharmapuri.
- +3 Ccs to Mr.S.Thanka Sivan, Advocate sr 26660, 26659, 26657.

W.P.Nos.10990, 10995, & 11001 of 2021

RK(CO)
SP(06/07/2021)



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