



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.5465 of 2021
(Through Video Conference)

K.N.Palaniappan

... Petitioner

Vs.

1.The Competent Authority,
Special District Revenue Officer (LA & NH),
National Highway No.744A,
5A, Baskar Complex 1st Floor,
Besant Road, Chokkikulam,
Madurai - 625 002.

2.The Project Director,
National Highway Authority of India,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent herein to furnish the petitioner, the certified copy of the award passed by him in respect of the acquisition of lands comprised in Survey Nos.93/3A, 89/2A, 89/2B, 91/1A, 91/2A, 91/3 and 93/3B in Thamaraipatti Village, Madurai East Taluk, Madurai District for the purpose of formation of National Highways 744A, within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.D.Sivaraman
For R-1 : Mrs.V.P.M.Vaishnavi,
Government Advocate

For R-2 : Mr.C.Arul Vadivel @ Sekar,
Standing Counsel.

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to furnish the certified copy of the Award passed by the first respondent with respect to the subject properties.

2. The case of the petitioner is that his properties were acquired by the second respondent and the first respondent conducted the enquiry to fix the compensation and an Award was also passed fixing the compensation. The petitioner was not satisfied with the compensation fixed by the first respondent. Therefore, the



petitioner requested the first respondent to furnish with the certified copy of the Award to enable the petitioner to initiate proceedings before the Arbitrator under Section 3 G(5) of the National Highways Act.

3. The petitioner sought for the certified copy of the Award through Right to Information Act and what was provided to the petitioner was only the calculation of the compensation insofar as the petitioner's lands are concerned. Therefore, left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.D.Sivaraman, learned counsel for the petitioner and Mrs.V.P.M.Vaishnavi, learned Government Advocate for the first respondent and Mr.C.Arul Vadivel @ Sekar, standing counsel for R2.

5. Taking into consideration of the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the petitioner to submit a fresh representation to the first respondent seeking for the certified copy of the Award. The first respondent shall furnish the certified copy of the Award to the petitioner within a period of two(02) weeks from the date of receipt of the representation from the petitioner.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Competent Authority,
Special District Revenue Officer (LA & NH),
National Highway No.744A,
5A, Baskar Complex 1st Floor,
Besant Road, Chokkikulam,
Madurai - 625 002.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Project Director,
National Highway Authority of India,
Madurai.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-17022[F] dated 22/04/2021)

+1 CC to M/s.C.ARUL VADIVEL @ SEKAR, Advocate (SR-17302[F] dated
23/04/2021)

Order made in
W.P. (MD) No.5465 of 2021
Dated: **21.04.2021**

se (CO)
TR(18.06.2021) 3P 5C