



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 09.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.7717 of 2021
(Through Video Conferencing)

L.Selvanayagi

... Petitioner

Vs.

1. The District Collector
Madurai.

2. The Special District Revenue Officer,
(Land Acquisition National Highway - 785)
Madurai - Natham National Highway
Madurai.

3. The Deputy General Manager, (Tech)
& Project Director,
National Highways Authority of India,
Project Implementation Unit
Plot No.3, Suriya Towers
2nd Floor, K.K.Nagar, 1st East Street
Madurai

... Respondents

(3rd respondent is suo motu impleaded as per
the order of this Court dated 09.04.2021)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to conduct inquiry in the appeal pending in A.P.No.73/MNT/Chinnalapatti/2019 by giving personal hearing to the petitioner and pass final orders on merits and in accordance with law within the time fixed by this Court.

For Petitioner : Mr.K.K.Udayakumar

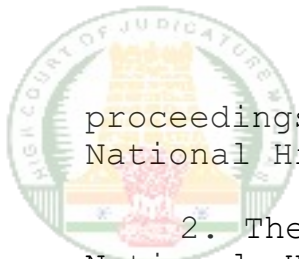
For Respondents : Ms.V.P.M.Vaishnavi for R1 & R2

Government Advocate

Mr.C.Arul Vadivel @ Sekar for R3

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to dispose of the



proceedings initiated by the petitioner under Section 3G(5) of the National Highways Act seeking for enhancement of compensation.

2. The property belonging to the petitioner was acquired by the National Highways Department and the second respondent passed an award by fixing the compensation through the proceedings dated 24.08.2018. The petitioner was not satisfied with the compensation fixed by the 2nd respondent and hence, she initiated arbitration proceedings before the first respondent.

3. The grievance of the petitioner is that the first respondent has not enquired and passed final orders till date. Aggrieved by the same, the present writ petition has been filed before this Court seeking appropriate direction.

4. Ms.V.P.M.Vaishnavi, learned Government Advocate, takes notice for the respondents 1 and 2. Mr.C.Arulvadivel @ Sekar, learned standing counsel, takes notice for the impleaded third respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to dispose of the arbitration proceedings initiated by the petitioner, after giving opportunity to the petitioner and the impleaded third respondent and pass final orders strictly in accordance with law within two months from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the first respondent enclosing all the relevant documents along with a copy of this order.

7. The writ petition is disposed of with the above directions. No costs.

Sd/-

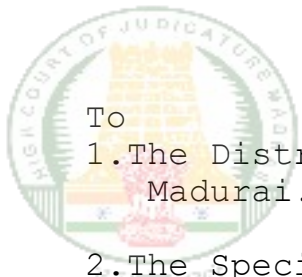
Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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



To

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+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-15805[F] dated
15/04/2021)

+1 CC to Mr.K.K.UDAYA KUMAR, Advocate (SR-16092[F] dated
16/04/2021)

W.P. (MD)No.7717 of 2021
09.04.2021

RR

AE/24.05.2021/3P/6C