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**W.P(MD)No.7638 of 2020**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 02.12.2021

CORAM:

**THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN**

**W.P(MD)No.7638 of 2020**

**and**

**W.M.P(MD)Nos.7126 and 7127 of 2020**

S.Geetha

... Petitioner

vs.

1.The Union of India,  
Through its Secretary,  
Ministry of Road Transport and Highways,  
Transport Bhawan,  
1 Parliament District,  
New Delhi - 110001.

2.The National Highways Authority of India,  
Through its Project manager,  
307, Melur Main Road,  
K.K.Nagar,  
Madurai-20.

3.The District Collector,  
Sivagangai District,  
Sivagangai.

4.The Authorized Officer Cum Special DRO (LAONH),  
National Highways No.383,  
Pudukkottai.

5.The Special Tahsildar (LA),  
National Highways Tirupattur,  
Sivagangai District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the respondents in S.O.1850(E), dated 08.05.2018, of the Ministry of Road Transport and Highways and quash the same.

For Petitioner : Mr.V.R.Shanmuganathan  
For Mr.AL.Kannan

For R1 & R2 : Mr.C.Arul Vadivel @ Sekar  
Standing Counsel

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

For R3 to R5 : Mr.D.Ghandiraj  
Special Government Pleader



**O R D E R**  
**\*\*\*\*\***

The writ petition has been filed in the nature of Certiorari, seeking interference with the order, dated 08.05.2018, passed by the first respondent and to quash the same.

2.Heard Mr.VR.Shanmuganathan, learned Counsel for the petitioner and Mr.C.Arulvadivel @ Sekar, learned Standing Counsel for respondents 1 and 2 and Mr.D.Ghandiraj, learned Special Government Pleader for respondents 3 to 5.

3.The petitioner has had the benefit of an award, dated 13.01.2020, pursuant to land acquisition proceedings. I am not called upon to examine whether the said award has been passed in manner known to law or question the quantum granted in the said award. In the course of the award, it has been observed that the petitioner, S.Geetha, W/o.KR.CT.Solai, is the individual in whose name the patta for the acquired lands stands, as on date. It had been thereafter stated that if the said writ petitioner produced necessary documents with respect to title or otherwise of the lands and then present them before the fourth respondent, then the award amount would be paid.

4.The learned Counsel for the petitioner states that having rendered a finding that the patta stands in her name, calling the upon the petitioner to bring documents once again and go before the fourth respondent would be in the nature of re-enquiry, relating to the bonafide of the petitioner herein. The learned Counsel apprehends states that there might be a re-examination of the entire issue once already decided, particularly, since even in the award if had been stated that the patta of the lands stands in the name of the petitioner herein.

5.I am confident that this is not an exercise to once again question the bonafide of the petitioner but only to move to the second stage to ensure that the compensation is actually paid to the correct person and that the petitioner herein, should identify herself but also identify herself as the person in whose name the patta stands and for that, she has to naturally produce the patta. She may also have to produce any other documents which reasonably and directly links her to the property which has been acquired. This may also enable the respondent to hand over the compensation and further protect the respondents from any action, if initiated, owing to this particular aspect of handing over compensation.

6.Recording the above Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are also closed.

7.A direction is given to the fourth respondent to disburse the compensation within a period of six weeks from the date, on which, the petitioner first appears before the fourth respondent. Even



though as observed the Writ Petition is for Certiorari, I would rather not to interfere with the impugned order but take a middle path and direct as above.

Sd/-

Assistant Registrar (W)

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/ /2021

Sub Assistant Registrar(CS)

lr/sn

**Note :**1.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 Secretary,  
The Union of India,  
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- 2.The Project manager,  
The National Highways Authority of India,  
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- 5.The Special Tahsildar (LA),  
National Highways Tirupattur,  
Sivagangai District.

+1 CC to M/s.C.ARUL VADIVEL@SEKAR, Advocate ( SR-37237[F] dated 03/12/2021 )

+1 CC to M/s.SPL GP ( SR-37417[F] dated 06/12/2021 )