



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12240 of 2021

M.R.Thangavel

... Petitioner

Vs.

1.The Project Director,
National Highways Authority of India,
Vengamedu, Karur.

2.The Competent Authority / The District Revenue Officer,
Karur.

3.The Project Director,
No.11/1, Kongu Nagar East, Back Side of Appasamy Apartment
Ramanathapuram (Post), Coimbatore-641 045. ... Respondents
(Respondent No.3 *suo motu* impleaded as respondent in this Writ
Petition vide Order of this Court dated 20.07.2021 in W.P.(MD).
No.12240 of 2021)

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents herein to disburse the award amount with accrued interest to the petitioner in respect of the land acquired in Survey No.321, (Presently S.No.321/1 after Sub-Division) Thennilai South Village, Aravakurichi Taluk, (Presently Pugalur Taluk). Karur District, pursuant to the award of the second respondent made in Rc./6522/2009) L.A.NH-67), dated 09.03.2009, within a time frame as fixed by this Court.

For Petitioner : Mr.B.Saravanan

For R-1 & R-3 : Mr.Arul Vadivel @ Sekar

For R-2 : M.Lingadurai
Government Advocate

ORDER

The Project Director, NHAI, No.11/1, Kongu Nagar East, Back side of Appasamy Apartment, Ramanathapuram (Post), Coimbatore-641 045 is *suo motu* impleaded as third respondent in this Writ Petition. Mr.Arul Vadivel @ Sekar, learned counsel takes notice for the newly impleaded third respondent.



2. This writ petition has been filed for the issue of a Writ of Mandamus, directing the second respondent to disburse the award amount to the petitioner with interest within the time frame fixed by this Court.

3. The case of the petitioner is that he purchased the subject property measuring an extent of 2.64 acres by virtue of a registered sale deed dated 28.12.1993. Thereafter, an extent of 2502 square meters, which was abetting NH-67 was sought to be acquired by the first respondent. Accordingly, a declaration was made under Section 3D of the National Highways Act, 1956 and an award was passed by the competent Authority on 09.03.2009.

4. The grievance of the petitioner is that the compensation amount has not been disbursed till now inspite of the representation made by the petitioner. Left with no other option, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.B.Saravanan, learned counsel appearing for the petitioner, Mr.Arul Vadivel @ Sekar, learned counsel appearing for the first and third respondents and Mr.M.Lingadurai, learned Government Advocate appearing for the second respondent.

6. It is brought to the notice of this Court that the first respondent office is not functioned and it has been taken over by the third respondent and hence, the third respondent has been *suo motu* added as a party in this Writ Petition.

7. 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 second respondent to deal with the representation made by the petitioner on 15.11.2018 and disburse the compensation amount, if it has not already been disbursed till now. If notice has to be given to any other interested parties, the second respondent shall also issue notice and thereafter, take a final decision.

8. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

9. This Writ Petition stands disposed of with the above directions. No costs.

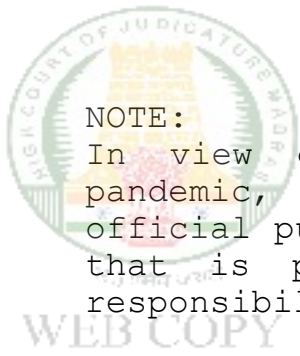
Sd/-

Assistant Registrar (CS I)

// 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 concerned.

To

The Competent Authority / The District Revenue Officer,
Karur.

+1 CC to MR.B.SARAVANAN, Advocate (SR-23430[F] dated 22/07/2021)

Order made in
W.P. (MD) .No.12240 of 2021

Dated :
20.07.2021

MGJ(02.08.2021) 3P 3C