



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.3753 of 2022

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N.Arumugam

... Petitioner

/Vs./

The Arbitrator,
National Highways-49 (Land Acquisition Act
Section 3G(5) / The District Collector,
Sivagangai District, Sivagangai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to dispose of the appeal dated 11.02.2019 preferred against the order passed by the Authorized Officer and Special District Revenue Officer, Land Acquisition, National Highways Pudukkottai vide his proceedings Na.Ka.No.331/2015/Ni.A.Tha.Ne.226 dated 10.08.2016 and 17.05.2017 and dispose of the same within the stipulated period fixed by this Court.

For Petitioner

: Mr.N.Tamilmani

For Respondent

: Mr.D.Sasikumar,

Additional Government Pleader.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to dispose of the appeal dated 11.02.2019 preferred against the orders passed by the Authorized Officer/Special District Revenue Officer, (Land Acquisition and National Highways), Pudukkottai vide their proceedings dated 10.08.2016 and 17.05.2017, within the stipulated period to be fixed by this Court.

2.The petitioner, aggrieved by the orders passed by the Authorized Officer/Special District Revenue Officer, (Land Acquisition and National Highways), Pudukkottai, dated 10.08.2016 and 17.05.2017 with regard to the determination of the compensation payable for the lands acquired by the National Highways, has preferred a statutory appeal before the respondent on 11.02.2019 under the National Highways Act, 1956. Since the said appeal has not been disposed of till date, he has filed this writ petition seeking for early disposal of the said appeal.



3. Heard Mr.N.Tamilmani, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

4.No prejudice would be caused to the respondents, if the petitioner's appeal pending on the file of the respondent is disposed of, within a time frame to be fixed by this Court.

5.Accordingly, this Court directs the respondent to pass final orders on the appeal filed by the petitioner on 11.02.2019 aggrieved by the order passed by the Authorized Officer/Special District Revenue Officer, (Land Acquisition and National Highways), Pudukkottai, vide their proceedings dated 10.08.2016 and 17.05.2017, on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of six (6) months from the date of receipt of a copy of this order.

6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

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

The Arbitrator,
National Highways-49 (Land Acquisition Act
Section 3G(5) / The District Collector,
Sivagangai District, Sivagangai.



+1 CC to M/s.N.TAMILMANI, Advocate (SR-9336[F] dated 01/03/2022)

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order made in
W.P. [MD]No.3753 of 2022
Dated:
01.03.2022

PP (12.03.2022) 3P 4C