



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.3801 of 2022

C.Durairaj

... Petitioner

Vs.

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

... Respondents

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 04.09.2019 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 a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.N.Tamilmani

For Respondents : Mr.S.Jeyapriya
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to dispose of the appeal dated 04.09.2019 preferred against the orders passed by the Authorized Officer/Special District Revenue Officer, (Land Acquisition and National Highways), Pudukkottai vide his 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 04.09.2019 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 earlier disposal of the said appeal.



3.Heard Mr.N.Tamilmani, learned Counsel appearing for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accepts notice on behalf of the respondent.

4.No prejudice would be caused to the respondent, 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 04.09.2019 aggrieved by the order passed by the Authorized Officer/Special District Revenue Officer, (Land Acquisition and National Highways), Pudukkottai, vide his 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/-

Deputy Registrar (Accounts)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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

+1 CC to M/s.SPL GP (SR-9433[F] dated 02/03/2022)

+1 CC to M/s.N.TAMILMANI, Advocate (SR-9335[F] dated 01/03/2022)

W.P. [MD]No.3801 of 2022

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