



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.4772 of 2022

S.Balamurugan

... Petitioner

Vs.

1.The District Collector/Arbitrator,
Collector Office,
Madurai.

2.The District Revenue Officer,
Madurai,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to dispose the appeal petition no.106/MNT/Rajakambeeram/2007/B8 within a period fixed by this Court on the basis of the representation dated 17.02.2022.

For Petitioner	:	Mr.M.Karunanithi
For Respondents	:	Mr.M.Lingadurai, Special Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for early disposal of the petitioner's statutory appeal filed under the National Highways Act seeking for enhancement of compensation, which is pending on the file of the first respondent.

2. According to the petitioner, aggrieved by the quantum of compensation determined by the second respondent, the petitioner has preferred the statutory appeal before the first respondent under the provisions of the National Highways Act in the year 2007. Since the said statutory appeal has not been disposed of till date, the petitioner seeks for early disposal of the same.

3. Heard Mr.M.Karunanithi, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. The statutory appeal is alleged to have been filed by the petitioner before the first respondent in the year 2007. No prejudice would be caused to the respondents, if the petitioner's statutory appeal is disposed of expeditiously. However, it is not clear as to whether the said statutory appeal was taken on file or not.



5. Mr.M.Lingadurai, learned Special Government Pleader, on instructions, would submit that, in case the said appeal is pending, a direction can be issued by this Court to dispose of the appeal within a time frame to be fixed by this Court. Learned counsel for the petitioner also agrees for this proposition.

6. Accordingly, this Court directs the first respondent to pass final orders on the petitioner's statutory appeal petition no.106/MNT/Rajakambeeram/2007/B8, in case the same is pending, within a period of four (4) months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and other necessary parties, whom the first respondent deems fit to enquire.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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

1.The District Collector/Arbitrator,
Collector Office,
Madurai.

2.The District Revenue Officer,
Madurai,
Madurai District.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-13310[F] dated
21/03/2022)

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RK(01/04/2022) 2P 4C