



W.P.(MD)No.17852 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17852 of 2022

and

W.M.P(MD)No.13039 of 2022

S.Hemalatha

... Petitioner

Vs

- 1.The Union of India,
Represented by the Secretary,
Department of Road Transport and Highways,
No.G5, 6, Sector – 10, Dwarka,
New Delhi – 110 010.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Competent Officer /
District Revenue Officer,
Road Transport and Highways Department,
Thirumangalam to Rajapalayam,
(NH-744) Four Way Project,
District Collectorate Campus,
Madurai.
- 4.The National Highways Authority of India,
Represented by its Regional Officer,
2nd and 3rd Floor,
Vijaykrishna Plaza,



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No.1, Lake Area,
Melur Main Road,
Mattuthavani,
Madurai.

5.The Special Yahsildar (Land Acquisition)
Thirumangalam – Rajapalayam National
Highways (NH 744) Four Way Project,
Opp to District Collector Office,
Near K.V.School,
Virudhunagar.

6.The Competent Officer (Land Acquisition),
Thirumangalam – Rajapalayam National
Highways (NH 744) Four Way Project,
T.Kallupatti,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from evict the petitioner from his dwelling house and it is connected properties in Survey No. 15/2B2 situated at Silarpatti Village, Peraiyur Taluk, Madurai District without following the due process of law and without fixing fair compensation procedure contemplated under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by considered the petitioner's representation, dated 28.06.2022 within time fixed by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.2, R.3 & R.5



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ORDER

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Heard the learned counsel on either side.

2. The petition mentioned property belongs to the writ petitioner. It has been acquired under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The compensation is yet to be disbursed. I make it clear that unless the compensation as determined by the competent authority is disbursed, the petitioner will not be dispossessed. If the petitioner is aggrieved by the quantum of compensation, it is open to the petitioner to seek enhancement in the manner known to law.

3. This writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

10.08.2022

Index : Yes / No

Internet : Yes/ No

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To

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G.R.SWAMINATHAN, J.

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