



W.P.(MD).No.21847 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21847 of 2022

R.Thangavel

... Petitioner

vs.

1.The Secretary,
Ministry of Road Transport and Highways,
Transport Bhawan,
No.1, Parliament Street,
New Delhi.

2.The General Manager,
Regional Office,
The National Highways Authority,
Mattuthavani,
Madurai.

3.The Project Director cum DGM(Tech)
No.314E, K.P. Road,
Near Ayappan Kovil,
Parvathipuram, Nagercoil-629 003,
Kanyakumari District.

4.The District Collector/Arbitrator
Kanyakumari District,
Nagercoil.

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5.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to release the funds required for payment of compensation for the petitioner's S.No.353/3B, Aralvoimozhi Village, Thovalai Taluk, Kanyakumari District, as awarded by the fourth respondent in the Arbitration Award dated 28.02.2019 together with all benefits and interest, as per Section 80 of the Act 30/13 by passing orders on the representation dated 11.05.2022.

For Petitioner	: Mr.G.Justin
For R1	: Mr.K.Gokul Standing Counsel
For R2 & R3	: Mr.Su.Srinivasan, Standing Counsel
For R4&R5	: Mr.C.Satheesh Government Advocate

ORDER

This writ petition is filed seeking for a Writ of Mandamus directing the respondents 1 and 2 to release the funds required for payment of compensation for the petitioner's S.No.353/3B, Aralvoimozhi



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Village, Thovalai Taluk, Kanyakumari District, as awarded by the fourth respondent in the Arbitration Award, dated 28.02.2019 together with all benefits and interest, as per Section 80 of the Act 30/13 by passing orders on the representation, dated 11.05.2022.

2.The grievance of the petitioner is that he has made a representation dated 11.05.2022 to the respondents 1 and 2, seeking to release the funds required for payment of compensation of his property in S.No.353/3B, Aralvoimozhi Village, Thovalai Taluk, Kanyakumari District, which was acquired by the National Highways Authority, for NH47B bypass road in Kanyakumari District, as per the arbitration award, dated 28.02.2019. But the respondents have not considered the same. Hence, the present writ petition is filed.

3.Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the first respondent, the learned counsel appearing for the second and third respondents and the learned Government Advocate appearing for the respondents 4 & 5.



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4.Considering the above facts, this Court, without expressing any opinion on the merits of the case, directs the first and second respondents to consider the petitioner's representation dated 11.05.2022 and pass appropriate orders, as per Section 80 of the Act, 30/13, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

21.11.2022

Index:Yes/No
Internet:Yes/No
akv

To

1.The Secretary,
Ministry of Road Transport and Highways,
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No.1, Parliament Street,
New Delhi.

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2.The District Collector/Arbitrator
Kanyakumari District,
Nagercoil.

3.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
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V.BHAVANI SUBBAROYAN,J.

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