



W.P.(MD).No.21831 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21831 of 2022

Dr.A.Rajappavu

... 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.Nos.764/4, 765/6, 767/1, as awarded by the fourth respondent in the Arbitration Award dated 04.06.2019 together with all benefits and interest as per Section 80 of the Act 30/13 by passing orders on the representation dated 25.04.2022.

For Petitioner	: Mr.G.Justin
For R1	: Mr.V.B.Sundaresh, Central Govt. Standing Counsel
For R2 & R3	: Mr.SR.Srinivasan
For R4&R5	: Mr.D.Gandhiraj Special Government Pleader

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.Nos.764/4, 765/6, 767/1, as awarded by the fourth respondent in the Arbitration Award, dated



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04.06.2019 together with all benefits and interest, as per Section 80 of the Act 30/13 by passing orders on the representation, dated 25.04.2022.

2.The grievance of the petitioner is that he has made a representation dated 25.04.2022 to the respondents 1 and 2, seeking to release the funds required for payment of compensation of his property in S.Nos.764/4, 765/6, 767/1, which was acquired by the National Highways Authority, for NH47B bypass road in Kanyakumari District, as per the arbitration award, dated 04.06.2019. 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 Additional Government Pleader appearing for the respondents 4 & 5.

4.Considering the above facts, this Court, without expressing any opinion on the merits of the case, directs the first and second respondents



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to consider the petitioner's representation dated 25.04.2022 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 District Collector/Arbitrator
Kanyakumari District,
Nagercoil.
2. The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
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V.BHAVANI SUBBAROYAN,J.

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