



W.P.No.32471 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.P.No.32471 of 2023

N.Shobana

... Petitioner

Vs.

1.The District Collector
A block, 2nd Floor
District Collectorate
Vellore 632 009

2.The Special District Revenue Officer
National Highway land Acquisition Section
B Block 4th Floor
District Collectorate
Vellore 632 009

3.Project Director
National Highway Authority
Krishnagiri

4.National Highways Authority of India
G 5 & 6, Sector 10
Dwarka
New Delhi 110 075

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for records in order dated 26.06.2023 passed in proceedings Na.Ka.Ni.A.(1)6/2022 on the file of 1st respondent and quash the same and direct the respondents to hear the claim for enhancement on merits so as to enhance and refix the compensation as prayed.

For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.V.Veluchamy
AGP - R1 & R2

Mr.Su.Srinivasan
Senior Counsel for NHAI - R3 & R4

ORDER

The writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for records in order dated 26.06.2023 passed in proceedings Na.Ka.Ni.A.(1)6/2022 on the file of 1st respondent and quash the same and direct the respondents to hear the claim for enhancement on merits so as to enhance and refix the compensation as prayed.

2.The writ petitioner has challenged the order passed by the 1st respondent dismissing the claim of the petitioner on the ground that three years has lapsed from the date of acquisition and the same is barred by limitation. This Court is of



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the opinion that limitation would not arise in this case. The learned counsel also submitted that the Hon'ble Supreme Court has suspended the limitation order during COVID period. Therefore, any order passed by the Arbitrator / District Collector, there always lie an appeal remedy before the Principal District Judge, who is an appellate authority. Therefore, the petitioner has no remedy before this Court.

3.This writ petition stands dismissed accordingly. The petitioner is at liberty to work out his remedy in the manner known to law. No costs.

17.11.2023

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Index : yes / no
Neutral citation

To

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P.VELMURUGAN, J.

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