



C.R.P(MD)No.597 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.03.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.597 of 2023

1.Radhika Devi

2.N.Chandrika Devi

3.S.Rajam

4.S.Sivathanu

5.S.Latha

6.S.Arumugam

7.S.Thangappan

... Petitioners/Petitioners

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil-629 001.

2.The Competent Authority and
Special District Revenue Officer,
(Land Acquisition – National Highways),
2/17, Observatory Street,
Ramavarmapuram,
Opposite to Travelers Bungalow,
Nagercoil-629 001.

... Respondents/Respondents



C.R.P(MD)No.597 of 2023

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the Principal District Judge, Nagercoil to set aside the return order, dated 09.06.2022 in Arb.O.P.SR.No.1124 of 2020 and dispose the same on merits and in accordance with law.

For Petitioner : Mr.K.Gokul
For Respondent : Mr.M.Siddharthan
Additional Government Pleader

ORDER

The present Civil Revision Petition has been filed to set aside the return award, dated 09.06.2022 and to number the petition in Arb.O.P.SR.No.1124 of 2020 and to dispose of the same.

2. It is the case of the petitioner that the impugned award came to be passed on 28.06.2019 and that the copy of the award was served on the petitioner only on 05.09.2020. During the said period, lock down had been imposed and thus, relying on the terms of the decision of the Hon'ble Supreme Court that the period of limitation was liable to be extended.

3. On behalf of the respondents, the learned Additional Government Pleader submits that Civil Revision Petition is liable to be dismissed as W.P(MD)No.24620 of 2020 is pending before this Court.



C.R.P(MD)No.597 of 2023

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4. By way of rejoinder, the learned counsel for the petitioner submits that the said writ petition has not been filed by the petitioner.

5. Satisfied with the reasons given in the petition, I am inclined to set aside the return award, dated 09.06.2022 and direct the District Judge, Nagercoil, to number Arb.O.P.SR.No.1124 of 2020, leaving the issue relating to limitation to be canvassed at the time of final hearing of Arb.O.P.SR.No.1124 of 2020. The Civil Revision Petition is allowed in terms of the above observations.

06.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Note: Issue order copy on 07.03.2023.

To

- 1.The Principal District Judge, Nagercoil
- 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P(MD)No.597 of 2023

C.SARAVANAN,J.

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