



W.P.(MD)No.6983 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6983 of 2021

K.Subramanian

... Petitioner

Vs

1.The Competent Authority Cum
Special District Revenue Officer,
(Land Acquisition),
Ramanathapuram District.

2.The Special Tahsildar,
(Land Acquisition),
National Highways,
Karaikudi – Ramanathapuram,
NH210 Expansion Phase- III,
Thiruvadanai at R.S.Mangamalam,
Ramanathapuram District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No. 1 and 2 to pass appropriate orders with regard to the disbursal of compensation for the land situated in survey No.56/6 Arunoothimanagalam Village, Thiruvadanai Taluk, Ramanathapuram District, acquired for the purpose of laying National Highways Road on the strength of the documents produced by the petitioner during enquiry taken



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place pursuant to the memo of the 2nd respondent in ந.க.தே.நெ.210/அலகு-2/அ./2010 signed on 14/09/2020 as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.B.Saravanan,
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondents to disburse the compensation amount to the petitioner for the lands acquired under the National Highways Act, 1956, within the time frame fixed by this Court.

2. The first respondent has filed a counter affidavit. In the counter affidavit, it is stated that the enquiry was conducted under Section 3-G(3) of the National Highways Act, 1956, by the competent Authority and the compensation amount was also fixed. The rival claim was made by two other persons viz., Karuppaiah Devar and Thirumathi Kaliammal. Since there was some confusion with respect to the persons in whose favour the compensation has to be paid, a decision was taken to deposit the compensation amount under Section 3-H(4) of the National Highways Act,



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1956 and accordingly, a sum of Rs.3,04,456/- (Rupees Three Lakhs Four Thousand Four Hundred and Fifty Six only) was deposited before the learned Principal District Judge, Ramanathapuram.

3. In the light of the above development, it is left open to the petitioner to make an appropriate application before the learned Principal District Judge, Ramanathapuram, seeking for withdrawal of the compensation amount. If there are any rival claims, it is left open to the learned Principal District Judge, Ramanathapuram, to decide upon the same and permit the party, who has the right to withdraw the compensation amount. This process shall be completed within a period of three (3) months from the date of receipt of a copy of this order.

4. This Writ Petition is disposed of in the above terms. No costs.

10.11.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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N.ANAND VENKATESH, J.

tsg

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