



W.P.(MD) No.12081 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.12081 of 2020

Saravanathai

.. Petitioner

Vs.

1.The District Collector,
District Collectorate,
Madurai, Madurai District.
(Arbitrator under the National Highways Act, 1956)

2.The Special District Revenue Officer,
Land Acquisition,
National Highways in N.H.785,
K.K.Nagar, Madurai District.

3.The Project Director,
The National Highways Authority of India,
National Highways in N.H.785,
No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai-07.

.. Respondents

***[R3 impleaded vide order dated 12.06.2023 in W.M.P.
(MD) No.10812 of 2020 in W.P.(MD) No.12081 of 2020]***

Prayer :- Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus directing the first respondent



W.P.(MD) No.12081 of 2020

herein to enquire the Application/Petition dated 08.06.2020 filed by the petitioner under Section 3G (5) of The National Highways Act 1956, on merits and pass orders within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar
For RR1 & 2 : Mr.J.John Rajadurai
Government Advocate
For R3 : Mr.C.Arulvadivel @ Sekar
Standing Counsel

ORDER

This writ petition is filed for the issue of a Writ of Mandamus directing the first respondent to enquire the Application/Petition dated 08.06.2020 filed by the petitioner under Section 3G (5) of the National Highways Act 1956, on merits and pass orders within the time period stipulated by this Court.

2. It is the case of the petitioner that his agricultural lands in S.No.10/2 measuring an extent of 56 cents in Sathirathondaimanpatty Village, Madurai North Circle, Madurai District, were subject to land acquisition for the formation of Madurai to Natham National Highway to an extent of 35.3 cents. An award was passed by the second respondent



W.P.(MD) No.12081 of 2020

on 12.03.2020 and a compensation of a sum of Rs.2,95,912/- was awarded. Since the award was not commensurate to the value of the lands, the petitioner herein had filed a petition under Section 3G(5) of the National Highways Act seeking enhancement of compensation against the award passed by the second respondent on 12.03.2020. The petition has been filed before the first respondent.

3. It is the petitioner's further case that for the neighbouring lands comprised in S.Nos.12/3, 12/A and 12/3B, a sum of Rs.2,75,000/- per cent was fixed and the amount awarded to the petitioner is nearly 30 times lesser than the same. Likewise, the land owners of the lands comprised in S.Nos.9/1A, 9/1B, 9/1C, 10/3, 16/1, 16/2 and 16/3 have been awarded higher compensation. The petitioner would submit that despite filing the above petition dated 08.06.2020, the first respondent is yet to take up the same. Hence, the writ petition.

4. Considering the limited scope of the writ petition, which in effect seeks only an urgent hearing of the petition filed by the petitioner,



W.P.(MD) No.12081 of 2020

WEB COPY
this Writ Petition is disposed of with a direction to the first respondent to consider the petitioner's petition dated 08.06.2020 and pass orders within a period of three months from the date of receipt of a copy of this order.
No costs.

12.06.2023

(2/2)

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

abr



W.P.(MD) No.12081 of 2020

WEB COPY

To

- 1.The District Collector,
District Collectorate,
Madurai, Madurai District.
(Arbitrator under the National Highways Act, 1956)
- 2.The Special District Revenue Officer,
Land Acquisition,
National Highways in N.H.785,
K.K.Nagar, Madurai District.
- 3.The Project Director,
The National Highways Authority of India,
National Highways in N.H.785,
No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai-07.



WEB COPY



W.P.(MD) No.12081 of 2020

P.T.ASHA, J.

abr

W.P.(MD) No.12081of 2020

Dated : 12.06.2023

(2/2)