



WP(MD)No.21302 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **18.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.21302 of 2021

Ramasamy

...Petitioner

/Vs./

1.The Special District Revenue Officer (Land Acquisition),
National Highways,
District Collector Office Campus,
Pudukkottai District.

2.The Special Thasildar, (Land Acquisition),
National Highways – 226,
Pudukkottai Unit II.

3.Anjalai.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records pertaining to the Impugned Order passed by the 2nd Respondent vide his Proceedings in Na.Ka.04/2021/(Ni.Edu) (N.H) dated 24.08.2021 and to quash the same as illegal and consequently direct the 2nd Respondent to disburse the Award amount as fixed by the 1st Respondent.



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For Petitioner : Mr.D.Senthil
for Mr.V.Selvakumar
For Respondents : Mr.A.K.Manikkam (R1 & R2)
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned proceedings of the second respondent in Na.Ka.04/2021/(Ni.Edu) (N.H) dated 24.08.2021 and for a consequential direction to the second respondent to disburse the award amount as fixed by the first respondent to the petitioner.

2. Heard Mr.D.Senthil, learned counsel for the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader for the respondents 1 and 2.

3. The case of the petitioner is that he is the absolute owner of the subject property in S.Nos.266/3B, 266/3D and 266/5A totally measuring an extent of 60 cents. The acquisition proceedings were initiated by the National Highways (NHAI). An extent of 1373 sq.ft., was acquired from the petitioner for road widening purpose. The award proceedings were also conducted by the first respondent and compensation was fixed.



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4. The grievance of the petitioner is that compensation amount was not disbursed to the petitioner, based on some objection that was made by the third respondent, who had absolutely no right over the subject property. Accordingly, the impugned proceedings came to be issued by the second respondent and the same has been made a subject matter of challenge in this writ petition.

5. When the matter was taken up for hearing, the learned Special Government Pleader, on instructions, submitted that apart from the objection that was raised by the third respondent, a claim was also made by one Maanikkayi. In view of the same, the second respondent thought it fit to deposit the amount before the concerned Court in accordance with Section 3G and 3H(4) of the National Highways Act, 1956. Accordingly, a cheque for a sum of Rs.14,17,890/- has been deposited before the Principal District Judge, Pudukkottai and the relevant documents were also placed before this Court.

6. In view of the above development, it will be more appropriate to direct the Principal District Judge, Pudukkottai, to take a decision in LAOP No.86 of 2023 on the disbursement of the compensation amount to the parties, within the time limit prescribed by this Court.



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7. Accordingly, there shall be a direction to the Principal District Judge, Pudukkottai, to enquire LAOP No.86 of 2023 and take a decision on the claim made by the petitioner, the third respondent and any other interested parties. Ultimately, an order shall be passed within a period of three months from the date of receipt of a copy of this order and whoever is entitled for compensation, the compensation amount shall be disbursed to them.

8. This writ petition is disposed in the above terms. No costs.

18.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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TO:-

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- 3.The Principal District Judge, Pudukkottai.



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N.ANAND VENKATESH, J.

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Order made in
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18.10.2023