



W.P.(MD)No.3950 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2023

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.3950 of 2016

and

W.M.P.(MD).No.3534 of 2016

N.Sathyaseelan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The District Revenue Officer,
Kanyakumari District.

3.The Special Tahsildar,
(National Highways Land Acquisition),
Vilavankodu Taluk, Tahsildar Officer,
Vilavankodu Taluk, Kanyakumari District.

4.The National Highways of India,
Land Acquisition, New Delhi.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Special Tahsildar, Vilavankodu Taluk, Kanyakumari District, the 3rd respondent herein to award just compensation for the acquisition of the land of the petitioner in



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respect of lands situated in Survey No.71/15, Medhukummal Village, Kanyakumari District similar to the award of acquisition made by the Special Tahsildar, Land Acquisition NH Unit II Neyyattinkara, Kerala State by considering the representation of the petitioner dated 10.12.2014.

For Petitioner : Mr.S.Siva Thilakar
For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.S.Sankarapandian
for M/s.C.Arul Vadivel Associates

ORDER

The petitioner seeks a direction for payment of just compensation for the acquisition of land bearing Survey No.71/15, Medhukummal Village.

2.The learned Special Government Pleader for the respondents 1 to 3 submits, on instructions, that the sums of Rs.4,41,548/- (Rupees Four Lakhs Forty One Thousand Five Hundred and Forty Eight Only) and Rs. 5,10,460/- (Rupees Five Lakhs Ten Thousand Four Hundred and Sixty Only) were paid to the petitioner by way of compensation.



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3.In the counter affidavit filed by the 4th respondent, in paragraph No.9, it is stated that the petitioner should approach the District Collector, who is the designated arbitrator, if the petitioner intends to assail the amount awarded as compensation.

4.Since the District Collector is the designated arbitrator under the National Highways Act, as submitted by the 4th respondent, the petitioner should approach the District Collector, if aggrieved by the fixation of compensation.

5.By leaving it open to the petitioner to approach the District Collector, W.P.(MD)No.3950 of 2016 is disposed of without any order as to costs. Consequently, connected W.M.P.(MD)No.3534 of 2016 is closed.

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(3/4)

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

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SENTHILKUMAR RAMAMOORTHY, J.

MYR

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