



W.P(MD)No.25054 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25054 of 2023

and

W.M.P.(MD)No.21259 of 2023

S.Vellaiyammal

... Petitioner

Vs.

1.The Special District Revenue Officer,
Land Acquisition National Highways,
National Highways, Pudukkottai.

2.The Special Tahsildar,
Land Acquisition Office,
National Highways - 338 and 36,
Azhagu-1, Thirupapathur,
Sivagangai District.

3.Devasthana Manager,
Swami Narayana Perumal Temple,
Devasthana Manager Office,
Sivagangai.

4.The Superintendent,
Swami Narayana Perumal Temple,
Thirukostiyur,
Thiruppathur Taluk,
Sivagangai District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order passed by the 2nd respondent in his proceedings O.Mu.A1/392/2023, dated 26.09.2023 and quash the same as illegal and consequently directing the 1st and 2nd respondents to give compensation with interest to the petitioner for acquisition of the Petitioner's land in Survey Nos.60/6 and 61/5 which are extend 188 cents, situated at Brahamanampatti village, Thiruppathur Taluk, Sivagangai District, based on petitioner's representation dated 15.09.2023.

For Petitioner : Ms.A.Banumathy

For Respondents : Mr.M.Prakash,
Addl. Government Pleader for R1 & R2.
Mr.N.Ramesh Arumugam,
Government Advocate for R3 & R4.

ORDER

Heard both sides.

2.The petition mentioned lands were acquired under the provisions of the National Highways Act, 1956. The compensation is yet to be



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disbursed. This is because dispute has arisen between the petitioner on the one hand and the fourth respondent on the other. In such cases, the authorities will have to necessarily follow the procedure set out in Section 3H of the Act. This exercise shall be completed by the competent authority within a period of twelve weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

3.This writ petition is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

01.12.2023

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

To:-

1.The District Collector,
Tenkasi District.

2.The Tahsildar,
Sankarankoil Taluk,
Tenkasi District.

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ias

3.Devasthana Manager,
Swami Narayana Perumal Temple,
Devasthana Manager Office,
Sivagangai.

4.The Superintendent,
Swami Narayana Perumal Temple,
Thirukostiyur,
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01.12.2023
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