



W.P(MD)No.29000 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29000 of 2022

and

W.M.P.(MD)No.22977 of 2022

Justin Oliver

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.

3.The Project Director Cum DGM (Tech),
No.314E, K.P.Road,
Near Ayappan Kovil,
Parvathipuram, Nagercoil – 629 003,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the 1st respondent to
conduct rehabilitation and resettlement enquiry as per the provision of Section



W.P(MD)No.29000 of 2022

31 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and order enhanced compensation for the house measuring an extent of 2200 along with compound wall on 3 sides, open well, and two numbers cement water tank in S.No.649/12C at Valvachangostam Village, Kalkulam Taluk, Kanyakumari District R/w. Section 3 (G) 7 d of NH Act by passing orders on the representation dated 27.03.2021.

For Petitioner : Mr.G.Justin

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader for R1 and R2.
Mr.Su.Srinivasan,
Standing Counsel for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner's land was acquired under the provisions of the National Highways Act. The petitioner was paid some compensation. However, the quantum is not acceptable to the petitioner. He has moved the first respondent. The grievance of the writ petitioner is that the first respondent has not passed order on his petition seeking enhancement. The first respondent shall conduct



W.P(MD)No.29000 of 2022

enquiry and pass final order on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

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

31.01.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
ias

To:

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Competent Authority &
District Revenue Officer,
Land Acquisition National Highways,
Tirunelveli @ Nagercoil,
Kanyakumari District.



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W.P(MD)No.29000 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.29000 of 2022

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