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W.P.No.20755 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20755 of 2021

S.Gopalakrishnan

... Petitioner

Vs.

1.The National Highways Authority of India,
Ministry of Road & Highways,
Regional Office,
Sri Towers, 3rd Floor,
DP-34 (SP) Industrial Estate,
Guindy, Chennai 600 032

2.The Project Director,
The Project Implementation Unit,
National Highways Authority of India,
No.11/1, Kongu Nagar(East),
Back side of Appasamy Apartment,
Ramanathapuram, Coimbatore 641 045

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Mandamus directing the respondents herein to
release the payments for the petitioner's professional fees as per
representations dated 10.10.2020 sent to the second respondent.

For Petitioner : Mr.S.Saravanakumar



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For Respondents : Mrs.S.R.Sumathy,
Standing Counsel for National Highways

ORDER

This writ petition has been filed for direction to the respondents to release the payments for the petitioner's professional fees as per the request made by the petitioner dated 10.10.2020.

2. The petitioner is a senior advocate practising in Karur, Namakkal and Salem Districts. While being so, the Government of India appointed the petitioner as Additional Central Government Standing Counsel for Namakkal District. The petitioner had appeared on behalf of the National Highways Authority of India with respect to various cases in relation to the acquisition by the respondents in Karur-Coimbatore Section NH-67 before the District Court in various Arbitration Original Petitions. However, the petitioner was not paid professional fees. Hence, the petitioner submitted representation to the Chairman, National Highways Authority of India, New Delhi.

3. Heard, the learned counsel appearing on either side.



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4. On perusal of records, revealed that the second respondent informed about the claim made by the petitioner to the Regional Officer, National Highways Authority of India, Chennai thereby stated that claim bill was submitted by the petitioner for Rs.13,59,000/-. It has been verified by the second respondent's Accounts Department as per the circulars issued by the National Highways Authority of India Headquarters, New Delhi and worked out to the tune of Rs.12,16,000/- payable to the petitioner. However, while pending the writ petition, the petitioner was sanctioned and disbursed to an extent of Rs.8,01,500/- and after deducting TDS on income tax at 10%, a sum of Rs.7,21,350/- has been paid to the petitioner on 28.07.2021. Insofar as the balance amount is concerned, it has to be sanctioned by the Regional Officer to the National Highways Authority of India, Chennai.

5. In view of the above, the Regional Officer, Regional Office, National Highways Authority of India, Chennai is directed to sanction and disburse the remaining amount as per the communication of the second respondent dated 30.12.2020-Reference E54360 within a period



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of four weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

25.04.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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To

1.The National Highways Authority of India,
Ministry of Road & Highways,



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The Project Implementation Unit,
National Highways Authority of India,
No.11/1, Kongu Nagar(East),
Back side of Appasamy Apartment,
Ramanathapuram, Coimbatore 641 045
- 3.Regional Officer,
Regional Office,
National Highways Authority of India,
5th Floor, CMRL Building,
Koyambedu, Chennai-106

G.K.ILANTHIRAIYAN, J.

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