



W.P.(MD)No.17654 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.17654 of 2023

Dr.Ignatius A.Herman

.... Petitioner

/Vs./

1.The District Collector/
The Sole Arbitrator,
Tirunelveli District,
Tirunelveli.

2.The Special Tahsildar (Land Acquisition),
River Link Project (Unit-1)
Ambasamudram,
Cheranmahadevi,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the District Collector, Tirunelveli District the first respondent herein to decide the appeal dated 04.01.2023 made by the petitioner pertaining to the Final Award No.2/2022 of the second respondent by invoking his powers of reference under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in respect of acquisition of the punja lands to an extent of about 0.57.0 Hectares comprised in Survey



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No.258/1A1A, 0.25.5 Hectares in Survey No.258/3 and 1.69.5 Hectares comprised in Survey No.256/1 and 0.13.5 Hectares comprised in Survey No.257/1 in Kesavasamudram Village, Cheranmahadevi Taluk and Tirunelveli District belong to the petitioner.

For Petitioner : Mr.G.Aravinthan
For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

The writ petition has been filed seeking the relief of writ of mandamus to direct the District Collector, Tirunelveli, namely, the first respondent in the writ petition, to decide the appeal dated 04.01.2023 pertaining to the final award dated 16.11.2022 published by the second respondent.

2. Today Mr.C.Satheesh, learned Government Advocate appearing for the respondents would produce the communication in Na.Ka.J3/29795/2019, dated 04.08.2023 on the file of the District Collector, Tirunelveli evidencing the fact that an appeal has been disposed of on the said date.

3. The learned counsel for the petitioner would submit that the petitioner has not been informed about the order, dated 04.08.2023 till date.



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4. Consider that the prayer sought for in the writ petition has become infructuous, no direction in that regard can be issued, however, even as stated by the District Collector, Tirunelveli, it is open to the petitioner, if aggrieved by the final award of compensation, to take proceedings under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. Accordingly, the writ petition is disposed of. Liberty is granted to the petitioner to file an appeal before the Principal District Court, Tirunelveli, if aggrieved by the award of the District Collector, Tirunelveli dated, 04.08.2023, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Index : Yes / No
NCC : Yes / No
am

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TO:-

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P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.17654 of 2023

Dated:
06.02.2025