



WEB COPY

WP No. 13110 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 13110 of 2026

S.Gowindasamy

..Petitioner(s)

Vs

1. The Arbitrator cum District collector
Collectorate office,
Krishnagiri District.
2. Competent Authority/
Special District Revenue officer - Land
Acquisition,
National highways 948A STRR
Krishnagiri District.
3. The Project Director (NH 948A STRR)
National highways Authority of India,
PIU Krishnagiri
259/1, Salem Main Road,
Near KAKC petrol Bunk,
Krishnagiri District.

..Respondent(s)

PRAYER – This Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, directing the 1st Respondent to act upon the petitioner's claim petitioner filed under under section 3G (5) of the National highways Act, 1956 dated on 26.09.2024 and to reconsider the Award dated 30.06.2023, 14.05.2024 passed by the 2nd respondent and re-fix and enhance



the compensation for the petitioner's land measuring 3619 Sq.mtrs comprised in S. No 276/1A, 273/1B1B Allur Village, Hosur Taluk, Krishnagiri District in accordance with the provisions of the Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and to follow the Section 18 to 27 of the Arbitration and Conciliation Act, 1996.

For Petitioner(s): Mr.R.Rameshraj

For Respondent(s): Mr.D.Ravichander,
Special Government Pleader
(For R1 & R2)

Mr.S.R.Sumathy,
Standing Counsel (For R3)

ORDER

This Writ Petition has been filed seeking enhancement of the compensation. Admittedly, the arbitration has already been initiated under Section 3G(5) of the National Highways Act, 1956. Arbitrator has also acted upon the said reference. It is for the Arbitrator to determine the compensation payable to the land owners whose lands have to be acquired under the National Highways Act, 1956. The petitioner, whose lands has also been acquired under the National Highways Act, has filed this Writ Petition seeking enhancement of the compensation.



2.The Writ Petition of this nature is not maintainable, that too, when the Arbitrator has already acted upon the reference as per provisions of Section 3G(5) of the National Highways Act, 1956. The contentions that are raised by the petitioner in this Writ Petition will have to be raised only before the Arbitrator under Section 3G(5) of the National Highways Act, 1956. Instead of raising the same before the Arbitrator, the petitioner has filed this Writ Petition, which is not maintainable.

3.In case the Arbitrator has not considered the petitioner's contentions as raised in this Writ Petition, the petitioner will have to wait for the passing of the final arbitral award determining the compensation payable to the petitioner and thereafter, challenge the same under Section 34 of the Arbitration and Conciliation Act, 1996.

4.For the foregoing reasons, this Writ Petition is disposed of by granting liberty to the petitioner to raise all contentions which have been raised in this Writ Petition before the Arbitrator and the Arbitrator shall consider the same while determining the compensation payable to the petitioner in the final arbitral award. In case the petitioner is unsatisfied with the arbitral award, the petitioner has always got the legal right to challenge the same under Section 34



of the Arbitration and Conciliation Act, 1996. However, there shall be no order as to costs.

WEB COPY

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

1. The Arbitrator cum District collector
Collectorate office,
Krishnagiri District.
2. Competent Authority
Special District Revenue officer Land
Acquisition
National highways 948A STRR
Krishnagiri District.
3. The Project Director (NH 948 A STRR)
National highways Authority of India,
PIU Krishnagiri
259/1, Salem Main Road,
Near KAKC petrol Bunk, Krishnagiri District.



WEB COPY

WP No. 13110 of 2



ABDUL QUDDHOSE, J.

GSA

WP No. 13110 of 2026

09-04-2026