

In the High Court of Judicature at Madras

Dated : 05.06.2015

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.398 of 2015

M/s.Lakshmi Electrical Control Systems Ltd.,
Rep. by its Authorized Signatory.

.. Petitioner

-VS-

1. The Competent Authority and
Special District Revenue Officer (LA)
NH 47 and 67, No.3, Savarimuthu
Chettiar St., (Near Om Sakthi Hospital),
Red Fields, Coimbatore.

2.The National Highways Authority of India,
Ministry of Road Transport and Highways,
G-5 & 6 Sector 10, Dwarka,
New Delhi.

(R-2 suo motu impleaded as per order of
court dated today in OP.)

..Respondents

Petition filed under Section 11 (6)(B) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator to adjudicate the disputes arising between the petitioner and the respondent under Section 11(6)(b) of the Act.

For Petitioner

: M/s.P.T.Asha
for M/s.Sarvabhauman Asso.

For Respondent

: Mr.T.Jayaramaraj
Govt. Advocate (CS) for R-1
: Mr.P.Wilson, S.C.
For M/s.P.Wilson Asso. For R-2

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ORDER

The petitioner being dissatisfied with the compensation determined under the National Highways Act, 1956, invoked the jurisdiction under Section 3A of the said Act by sending notice dated 29.10.2010 followed by a letter dated 24.11.2011. But, no one has been appointed as Arbitrator, as averred by the petitioner.

2.At request of learned senior counsel for the National Highways Authority of India, the National Highways Authority of India is suo motu impleaded as 2nd respondent in this petition. Memo of parties be amended accordingly. Learned senior counsel submits that the problem has now been remedied with the appointment of District Collectors as Arbitrators by a notification of the Central Government and thus, the petitioner can approach the local District Collector in this behalf, who will adjudicate the claim of the petitioner.

3.The aforesaid statement is taken on record and thus, the petitioner may approach the District Collector, who will endeavour to conclude the proceedings as expeditiously as possible, especially keeping in mind that already a couple of years have gone-by.

4.Original petition, accordingly, stands disposed of.

(S.K.K., CJ.)
05.06.2015

Note: Registry to carry out the
amendment.

sra

The Hon'ble Chief Justice

(sra)

O.P.No.398 of 2015

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