

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2015

CORAM

THE HON'BLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.23633 of 2015

1.G.Thimmichetty
2.Mrs.Suseela

.. Petitioners

Vs.

1.The Arbitrator cum District Collector,
Collectorate, Krishnagiri.
2.The Competent Authority and
Special District Revenue Officer,
(Land Acquisition), National Highways,
Krishnagiri.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus directing the first respondent to dispose of the Arbitral Proceedings arising out of acquisition of lands in S.No.78/1 in Booganapalli Village, Krishnagiri Taluk and subject matter of ROC 62/2007 dated 8.1.2013 pending before the first respondent under Section 3-G(5) of the National Highways Act 1956 and further direct him to fix the compensation as on date.

For Petitioners .. Mr.V.Raghavachari

For Respondents .. Mr.R.M.Muthukumar,
Government Advocate

ORDER

Mr.R.M.Muthukumar, learned Government Advocate, takes notice for the respondents.

2. Heard Mr.V.Raghavachari, learned counsel appearing for the petitioners and Mr.R.M.Muthukumar, learned Government Advocate, appearing for the respondents.

3. The property comprised in Survey No.168/B2, 169/9B, 190/53 in Kattinayanapalli Village, Krishnagiri Taluk belongs to the petitioner's wife and the property comprised in Survey No.381A/2B and 382/A/3A3 C in Booganapalli Village, Krishnagiri Taluk belongs to the petitioner. The said properties were acquired for widening the

National Highways Road NH - 7 by virtue of an Official Gazette on 03.11.2004 by the second respondent. The second respondent determined the compensation at the rate of Rs.167/- per sq.ft. and the same was not agreed by the petitioners and therefore, arbitral proceedings are pending before the first respondent. Even though the proceedings have been pending for a long time, no award has been passed, which compelled the petitioner to come before this Court.

4. Since the acquisition proceedings relates to the year 2004 and more than a decade has gone, it is appropriate to direct the first respondent to conclude the arbitral proceedings and pass award within a period of three months from the date of receipt of a copy this order. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

asvm

To

- 1.The Arbitrator cum District Collector,
Collectorate, Krishnagiri.
- 2.The Competent Authority and
Special District Revenue Officer,
(Land Acquisition), National Highways,
Krishnagiri.

+ 1 cc to Mr.V. Raghavachari, Advocate SR.41940

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GP (CO)
EU 04.09.15

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