

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.2847 of 2015

1.Mariappan
2.Sengamalli

.. Petitioners

v.

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

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st respondent to dispose of the Arbitral proceedings pending before him under Section 3-G(5) of the National Highways Act 1956 from 11.09.2014 and further direct him to fix the compensation as on the date of award.

For Petitioner : Mr.M.Murugananthan
for Mr.V.Raghavachari
For Respondent : Mr.S.Pattabiraman,
Govt. Advocate

ORDER

The above writ petition has been filed by the petitioners to issue a writ of mandamus, directing the first respondent to dispose of the Arbitral Proceedings pending before him under section 3(G) (5) of the National Highway Act 1956, from 11.09.2014 and further direct him to fix the compensation as on the date of award.

2. It is the case of the petitioners that for enhancement of the compensation fixed by the second respondent, the petitioners have filed an appeal under section 3(G)(5) of the National Highway Act 1956, on 11.09.2014. Further, the petitioners have stated that though the appeal was filed in the month of September 2014, the first respondent has not disposed of the appeal yet.

3. Mr.S.Pattabiraman, learned Government Advocate, takes notice for the respondents and submitted that the first respondent may be directed to consider and dispose of the appeal dated 11.09.2014 filed by the petitioners within a stipulated time.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to take up the appeal dated 11.09.2014 filed by the petitioners and dispose of the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

Rj

To

1. The Arbitrator cum District Collector,
Collectorate, Kancheepuram District.

2 The Competent Authority and
Special District Revenue Officer,
(Land Acquisition) National Highways,
Kanchipuram and Thiruvallur Districts,
Kanchipuram.

1 cc to Mr.V. Raghavachari, Advocate, Sr. 6152

1 cc to Government Pleader, sr. 6377

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