

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.3893 of 2015 &
M.P.No.1 of 2015

R.Srinivasan

.. Petitioner

v.

1. The District Collector
Villupuram District, Villupuram
- 2 The Competent Authority
(L.A) HH-45 Dindivanam Bye Pass,
Villupuram Collectorate,
Villupuram District, Tamilnadu
- 3 National Highways Authority
of India Rep. by its Project Director
In charge of NH 45,
Dindivanam,
Villupuram District Tamilnadu

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st respondent to take on file the unnumbered application sent by registered post on 30 July 2014 under Sec.3(G)(5) of the National Highways Act (Central Act 16 of 1997) by directing the 1st respondent Arbitrator herein to dispose the enhanced compensation application within a fixed period in accordance with law. सत्यमेव जयते

For Petitioner : Mr.M.David Tyagaraj

For Respondent : Mr.R.Lakshmi Narayanan,
Addl. Govt. Pleader

ORDER

The petitioner has filed the above writ petition to direct the first respondent to dispose of the application dated 30.07.2014 preferred by the petitioner under section 3(G)(5) of the National Highway Act 1956, by directing the 1st respondent-Arbitrator herein to dispose the enhanced compensation petition within a stipulated time.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The learned Counsel for the petitioner submitted that the petitioner has filed the application dated 30.07.2014 under section 3(G)(5) of the National Highway Act claiming enhanced compensation.

However, according to the petitioner, the first respondent-Arbitrator has not disposed of the application filed by the petitioner claiming enhanced compensation at the rate of Rs.600/- per sq.ft with 10% additional value on the market rate for the lands acquired.

3. Mr.R.Lakshmi Narayanan, learned Additional Government Pleader takes notice for the respondents and submitted that the first respondent may be directed to dispose of the application dated 30.07.2014 filed by the petitioner 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 dispose of the application dated 30.07.2014 filed by the petitioner under section 3(G)(5) of the National Highway Act, on merits and in accordance with law, within a period of twelve 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

Rj

To

1. The District Collector
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1 cc to Government Pleader, sr. 8392

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