

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.4.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

WP.Nos.9773 and 9774 of 2015

Mrs.Dhanalakshmi

... Petitioner in WP.No.9773 of 2015

Mr.Sethuraman

... Petitioner in WP.No.9774 of 2015

Versus

1. The District Collector-cum-Arbitrator,
Collectorate, Villupuram,
Villupuram District.
2. The Special District Revenue Officer (L.A)
Competent Authority,
National High Ways No.68,
Door No.3B/8, Ram Nagar Road,
Swarnapuri [2nd Gate], Salem - 636 004.
3. The Project Director
National Highways Authority of India,
No.212-3/D3-1, Sri Nagar Colony,
Narasothipatti, Salem - 636 004.

... Respondents in both Wps

Writ petitions filed under Article 226 of the Constitution of India praying for a writ of MANDAMUS directing the 1st respondent Arbitrator cum District Collector to conduct an enquiry with regard to petitioner application for enhancement of compensation under the National Highways Act 1956 by providing reasonable opportunity to the petitioner to lead evidence and conclude the same.

For Petitioner : Mr.D.Muthukumar
in both petitions

For R1 and R2 : Mr. S.Gunasekaran
in both petitions Government Advocate

For R3 : Mr. Richardson for Wilson,
in both petitions M/s.P.Wilson Associates

C O M M O N O R D E R

Heard Mr.D.Muthukumar, learned counsel for the petitioner; Mr. S.Gunasekaran, learned Government Advocate who took notice for the 1st and 2nd respondents and M/s.P.Wilson Associates, learned counsel who took notice for the 3rd respondent and with their consent, the writ petitions are disposed of at the admission stage itself.

2. The petitioners have prayed for a direction to the 1st respondent to proceed with the arbitration proceedings for enhancement of compensation for the acquisition of petitioner's lands which were acquired under the National Highways Act, 1956.

3. It is seen that the petitioners' representation for enhancement of compensation was considered and the 1st respondent fixed the date of arbitration on 21.01.2013 at 4.00. p.m. The petitioners said to have appeared before the Collector and sought time to engage a counsel. However, no fresh date of hearing was given. Therefore, the petitioners submitted a representation on 12.08.2013 and since no action has been taken, the petitioners are before this court.

4. In the light of the above, there will be a direction to the 1st respondent to consider the petitioners' representation dated 12.08.2013 on merits and in accordance with law, after hearing the petitioners, after issuing notice to the respondents 2 and 3 and all others persons, who are likely to be affected by the orders to be passed, and appropriate orders shall be passed within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petitions are disposed of with the above direction. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar(CS V)

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Sub Assistant Registrar

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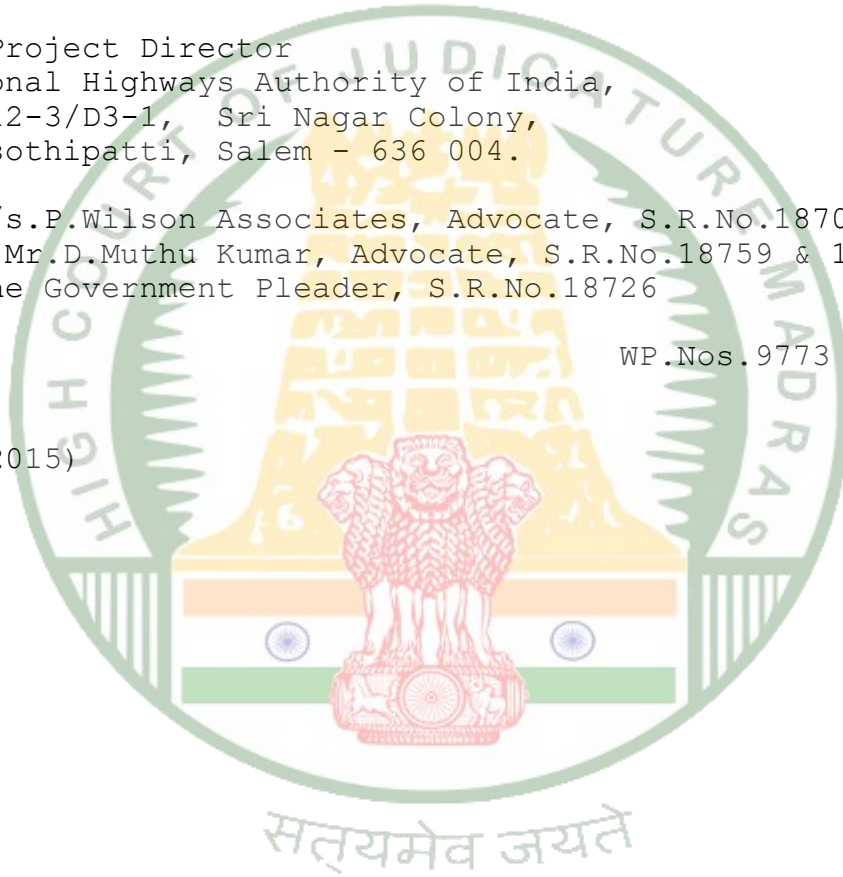
To

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No.212-3/D3-1, Sri Nagar Colony,
Narasothipatti, Salem - 636 004.

+1cc to M/s.P.Wilson Associates, Advocate, S.R.No.18702
+2cc's to Mr.D.Muthu Kumar, Advocate, S.R.No.18759 & 18760
+1cc to the Government Pleader, S.R.No.18726

WP.Nos.9773 and 9774 of 2015

KM(CO)
CA(20/04/2015)



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