



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. (MD) .No.137 of 2015

WEB COPY

A.Karthik

:Petitioner

Vs.

1.The Collector/The Arbitrator,
Collectorate,
Tuticorin District.

2.The Competent Authority (LA) &
Virudhunagar Special DRO,
National Highways,
Virudhunagar,
Virudhunagar District.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to pass final order in the reference for higher compensation made by the petitioner in Na.Ka.E3/80195/2010, dated 02.02.2011 pending on the file of the first respondent within a stipulated time on the basis of the representation made by this petitioner on 20.08.2014.

For Petitioner : Mr.B.Rajesh Saravanan
For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

Mr.R.Karthikeyan, learned Additional Government Pleader takes notice for the respondents.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.The learned counsel for the petitioner would submit that the land of the petitioner's father was acquired by the second respondent for the purpose of expansion of National Highways and compensation has been awarded by Award No.44/2009, dated 11.02.2010. Since the amount of compensation is very less, the petitioner's father had filed an Arbitration Petition for enhancement of compensation and the same is pending before the first respondent. The second respondent has also filed his written arguments as early as on 03.04.2013 and the petitioner has made a representation on 20.08.2014 before the first respondent and in spite of the same, so far, no order has been passed in the arbitration proceedings. Further, he submitted that under the National Highways Act, 1956, the arbitration proceedings has to be disposed of within a period of six months from the date of such reference. Since no order has been passed so far, the petitioner has come forward with this Writ Petition.



4.The learned Additional Government Pleader appearing for the respondents would submit that orders will be passed at the earliest.

5.Considering the fact that the arbitration proceedings is pending for quite long time and even arguments of both sides was over, the authority concerned is directed to consider and pass orders in the arbitration proceedings within a period of two months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Collector/The Arbitrator,
Collectorate,
Tuticorin District.

2.The Competent Authority (LA) &
Virudhunagar Special DRO,
National Highways,
Virudhunagar,
Virudhunagar District.

+1CC to M/s.B.Rajesh Saravanan, Advocate in SR.493

+1CC to the Special Government Pleader in SR.765

W.P. (MD) .No.137 of 2015
07.01.2015

srm

PBK 17/02/2015 ::2P-5C: