

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition Nos. 32436 to 32440 of 2016

M. Elumalai .. Petitioner in
WP.No.32436 of 2016

C. Kannan .. Petitioner in
WP.No.32437 of 2016

M.S.Babu .. Petitioner in
WP.No.32438 of 2016

M.Rajagopal .. Petitioner in
WP.No.32439 of 2016

C.Ramesh .. Petitioner in
WP.No.32440 of 2016

Versus

1. The District Collector cum Arbitrator
Thiruvallur, Thiruvallur District.

2 The Competent Authority
and Special District Revenue Officer (L.A.)
National Highways-205
Thiruvallur, Thiruvallur District

3 The Project Director
National Highways Authority of India
Chennai-16 .. Respondents

Prayer: Petitions have been filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the 1st respondent to dispose the petitioners unnumbered Arbitration Case No. of 2015 filed on 13.04.2015 13.04.2015, 13.04.2015, 23.04.2015 and 13.04.2015 within the time stipulated by this Honourable Court

For Petitioners : Mr.A.Panneerchelvam

For Respondents : Mr.T.M. Pappiah
Special Government Pleader (R1-2)
Mr.Richardson Wilson for
M/s P.Wilson Associates for R3

C O M M O N O R D E R

The petitioners are the owners of the properties measuring about 650 sq.mt, 0.33 cents, 1700 sq.mt, 931 sq.mt and 1033 sq.mt. respectively comprised in Survey Nos.177/4B, 149/5B, 132/10B, 124/3B and 124/4, 124/5B respectively in Guloor Village, Thiruvallur District.

2.The Second respondent informed the petitioners that awards in RC No.14/2009/Unit II dated 10.09.2013, R.C.No.14/2013/Unit II dated 30.11.2013, R.C.No.14/2013/Unit-II dated 20.08.2013, R.C.No.14/2009/ Unit-II dated 18.09.2013, R.C.No.14/2013/Unit-II dated 18.09.2013 respectively were passed and as per the award No.56/13 dated 14.06.2013, for acquisition of the petitioners' lands for widening the National High Ways Road-205, Thiruvalur District, Tiurtani Taluk - Phase I from Aleamelumannapuram village to Pakkam Village, the compensation was determined and fixed a sum of Rs.3,35,550/-, Rs./3,59,812/-,Rs. 8,77,591/-, Rs. 4,80,610/- and Rs. 5,50,301/- respectively.Aggrieved over the quantum of compensation awarded, the petitioners filed appeals in Arbitration case before the first respondent on 13.04.2015, 13.04.2015, 13.04.2015, 23.04.2015 and 13.04.2015 respectively for enhancement of the award amounts. Though the said appeals were filed as early as in April 2015, so far, the same were not numbered and taken into consideration, which compelled the petitioners to approach this court by way of these Writ Petitions.

3. Heard Mr.A.Paneerselvam, learned counsel appearing for the petitioners, Mr. T.M.Pappiah, learned Special Government Pleader taking notice on behalf of the respondents 1 & 2 and Mr.Richardson Wilson for M/s.P.Wilson Associates, learned counsel taking notice on behalf of the 3rd respondent.

4. Taking into consideration the limited prayer sought for in the writ petitions, this Court decides to dispose of the writ petitions at the admission stage itself.

5. It is stated by the petitioners that they are aggrieved over the quantum of compensation fixed by the second respondent and therefore appealed to the first respondent

in April 2015 for enhancement of the compensation. In view of the same, the first respondent is directed to dispose of the appeals filed by the petitioners on merits and as per law, within a period of twelve weeks from the date of receipt of copy of this order.

The writ petitions are disposed of accordingly. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

rg/rts

To

1. The District Collector cum Arbitrator
Thiruvallur, Thiruvallur District.
- 2 The Competent Authority
and Special District Revenue Officer (L.A.)
National Highways-205
Thiruvallur, Thiruvallur District
- 3 The Project Director
National Highways Authority of India
Chennai-16

+5 CC to Mr. A. Pannirchelvam, Advocate Sr.No.53172 to 53176
+1 CC to Government Pleader, Sr.No.53113

W. P. Nos. 32436 to 32440 of 2016

KSJ (CO)
MD : 04/10/2016

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