

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.12.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.42690 to 42701 of 2016

Nagammal	...Petitioner in W.P.No.42690 of 2016
R.Duraipandian	...Petitioner in W.P.No.42691 of 2016
G.Venkatesan	...Petitioner in W.P.No.42692 of 2016
K.Balaji	...Petitioner in W.P.No.42693 of 2016
M.Arumugam	...Petitioner in W.P.No.42694 of 2016
T.Poongavanam	...Petitioner in W.P.No.42695 of 2016
V.Palani	...Petitioner in W.P.No.42696 of 2016
D.Sundaram	...Petitioner in W.P.No.42697 of 2016
Kuppammal	...Petitioner in W.P.No.42698 of 2016
T.N.Gajendran	...Petitioner in W.P.No.42699 of 2016
S.Govindaraj	...Petitioner in W.P.No.42700 of 2016
V.Palani	...Petitioner in W.P.No.42701 of 2016

... Vs ...

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 in all WPs

Prayer :- Writ Petition under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose the petitioner's Unnumbered arbitration case No - of 2015 filed on 13.04.2015 24/8/2015, 3.6.2015, 13.4.2015, 3.6.2015, 28.6.2013, 13.4.15, 13.4.2015, 28.6.2013, 24.4.2015, 13.4.2015 and 13.4.2015 respectively within the time stipulated by this Court.

For Petitioner : Mr.A.Panneerchelvam
 For RR-1 and 2 : Mr.M.Elumalai,
 Government Advocate
 For R-3 : Ms.S.R.Sumathy

COMMON ORDER

Batch of writ petitions have been filed by 12 persons, who have lost their land in view of the acquisition made by the respondents for widening National Highways-205. All the petitioners are claiming to be absolute owners of the property at Survey No.181/27 to an extent of 123 Square Meters; Survey No.608/3A2 to an extent of 566 Square Meters; Survey Nos.990/2B2, 990/3B, 993/2B to an extent of 2215 Square Meters; Survey No.149/5B to an extent of 103 Square Meters; Survey No.181/29 to an extent of 128 Square Meters; Survey Nos.152/14, 152/15, 152/21 to an extent of 850 Square Meters; Survey Nos.129/3A2, 129/3B2, 157/17B to an extent of 663 Square Meters; Survey Nos.112/5B and 112/5C to an extent of 807 Square Meters; Survey Nos.151/16B, 151/18, 151/19, 151/20, 151/21 to an extent of 1600 Square Meters; Survey Nos.10/13B and 32/6B to an extent of 113 Square Meters; Survey Nos.101/20A, 101/21A, 122/2, 128/21A, 129/1B2, 129/2, 152/20, 152/22, 129/1C to an extent of 2800 Square Meters; and Survey No.129/12B to an extent of 150 Square Meters respectively in Tiruvallur District. The second respondent, viz., the Competent Authority-cum-Special District Revenue Officer (Land Acquisition), National Highways-205, Periya Kuppam, Thiruvallur, Thiruvallur District, informed the petitioners herein that for widening the National Highways-205, Thiruvallur District, from Aleamelumangapuram Village to Pakkam Village, their lands have been acquired and he had also determined the compensation. The proceedings of the second respondent would read thus:-

W.P.Nos.	Award	Date	Survey Numbers and Extent	Amount of compensation fixed
42690/2016	R.C.No.14/2013/Unit-II	20.08.2013	181/27 to an extent of 123 Square Meters	Rs.1,83,179/-
42691/2016	R.C.No.27/2010/Unit-IV	14.11.2011	608/3A2 to an extent of 566 Square Meters	Rs.20,09,626/-
42692/2016	R.C.No.16/2010/Unit-III	09.12.2011	990/2B2, 990/3B, 993/2B to an extent of 2215 Square Meters	Rs.6,01,816/-

W.P.Nos.	Award	Date	Survey Numbers and Extent	Amount of compensation fixed
42693/2016	R.C.No.14/2013/Unit-II	07.10.2013	149/5B to an extent of 103 Square Meters	Rs.53,172/-
42694/2016	R.C.No.14/2013/Unit-II	07.08.2014	181/29 to an extent of 128 Square Meters	Rs.7,70,869/-
42695/2016	R.C.No.10/2009/Unit-II	14.03.2012	152/14, 152/15, 152/21 to an extent of 425 Square Meters	Rs.2,07,850/-
42696/2016	R.C.No.10/2009/Unit-II	20.02.2012	129/3A2, 129/3B2, 157/17B to an extent of 663 Square Meters	Rs.3,24,247/-
42697/2016	R.C.No.14/2013/Unit-II	10.12.2013	112/5B and 112/5C to an extent of 807 Square Meters	Rs.12,33,388/-
42698/2016	R.C.No.10/2010/Unit-II	20.12.2011	151/16B, 151/18, 151/19, 151/20, 151/21 to an extent of 1600 Square Meters	Rs.7,82,496/- 7,04,246 net
42699/2016	R.C.No.11/2010/Unit-II	15.02.2012	10/13B, 32/6B to an extent of 113 Square Meters	Rs.55,264/-
42700/2016	R.C.No.10/2010/Unit-II	24.02.2012	101/20A, 101/21A, 122/2, 128/21A, 129/1B2, 129/2, 152/20, 152/22, 129/1C to an extent of 2800 Square Meters	Rs.13,69,368/-
42701/2016	R.C.No.10/2010/Unit-II	06.12.2011	129/12B to an extent of 150 Square Meters	Rs.73,359/-

2. Aggrieved by the meagre amount of compensation awarded by the second respondent, all the petitioners have filed their appeals in arbitration cases before the District Collector-Cum-Arbitrator, Thiruvallur, seeking enhancement of compensation

amount. Since the arbitration cases pending on the file of the first respondent have not been disposed of till date, the petitioners herein have come to this Court seeking early disposal of the arbitration cases.

3. It is pleaded by the learned counsel appearing for the petitioners that in similar circumstances, the aggrieved persons have come up before this Court by way of writ petitions seeking early disposal of the arbitration cases and obtained orders from this Court.

4. Mr.M.Elumalai, learned Government Advocate appearing for the respondents 1 and 2 and Ms.S.R.Sumathy, learned counsel appearing for the third respondent jointly sought for three months time to dispose of all the arbitration cases pending before the first respondent herein.

5. Recording the submissions made by the learned counsel for the respondents and also taking note of the earlier orders passed by this Court in similar situation, this Court directs the first respondent herein to dispose of all the arbitration cases pending before him on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, all the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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.

+3cc to Mr.A.Paneerselvam, Advocate SR.73390, 73392
+1cc to M/S.S.R.Sumathy, Advocate Sr.73231
+1cc to the Government Pleader SR.73686

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