

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-02-2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

W.P.Nos.4622, 4623, 4624 and 4625 of 2016

WMP Nos.3974, 3975, 3976 and 3977 of 2016

Kandhasamy Petitioner in W.P.No.4622 of 2016

Krishnan Petitioner in W.P.No.4623 of 2016

S. Arunachalam Petitioner in W.P.No.4624 of 2016

S. Ramaswamy Petitioner in W.P.No.4625 of 2016

vs

1. The District Collector,
Krishnagiri District
In charge of National Highways
Laying the National Highways 66
 2. Project Director, NH-66
National Highways Authority of India,
No.10, Govindasamy Nagar,
Vazhudhareddy Post,
Villupuram - 605 401,
Tamil Nadu
 3. Competent Authority cum DRO
The Special District Revenue Officer
(Land Acquisition NH 66)
National Highways Project,
Krishnagiri,
Tamil Nadu
- Respondents in all the writ petitions

Writ Petitions filed under Article 226 of the Constitution of India praying this Court to issue Writs of Mandamus directing the first respondent to pass an order in arbitration application dated 14.6.2013 in Arb.Nos.70 of 2013 filed under

Section 3G (5)(2) of The National Highways Act for enhanced compensation which was heard on 06.06.2014 before the first respondent relating to the acquisition of the land at Uthangarai village in Survey No.48/2A2 measuring 19.0 sq.mt ; 71/2013 filed under Section 3G (5)(2) of The National Highways Act for enhanced compensation which was heard on 06.06.2014 before the first respondent relating to the acquisition of the land at Uthangarai village in Survey No.44/2A2 measuring 450 sq.mt and survey No.45/5B2 measuring 3770 sq.mts in Survey No.45/3B2 measuring 1809.8 sq.mts in all measuring 6029.8 sq.mts about 1.5 acres consisting of ninety seven mango trees, six coconut trees, three palm trees, a peenari tree and Amla tree and in Arb No.226 of 2013 dated 19.8.2015 in Survey No.45/3B2 measuring an extent of 410.2 sq.mtrs in Uthamkarai Village; 72/2013 filed under Section 3G (5)(2) of The National Highways Act for enhanced compensation which was heard on 06.06.2014 before the first respondent relating to the acquisition of the land at Uthangarai village in Old Survey No.51, New Survey No.51/2 measuring extent of 3468.7 sq.mts and there is one yielding Coconut tree, the fully grown fifty one sapota trees, five mango trees, nine lime trees, a guava tree and bore well and in Arb No.224 of 2013 dated 19.08.2013 for land situated at Survey No.51/2 measuring an extent of 531.3 sq.mts at Uthangarai village and 73/2013 and Arb.No.225 of 2013, dt.19.08.2013 filed under Section 3G (5)(2) of The National Highways Act for enhanced compensation which was heard on 06.06.2014 before the first respondent relating to the acquisition of the land at Uthangarai village in Old Survey No.48/2A New Survey No.48/2A2 measuring extent of 6920.9 sq.mts and in New Survey No.48/2A2 measuring 379.1 sq/mts and Old survey 48/1 New survey No.48/1B measuring 8,500 sq.mts in all measuring 15,800 sq.mts or about 4 acres consisting of 182 sapota trees, five mango trees, thirty eight coconut treest, three Guava trees, three custard apple trees, three palm trees, six eucalyptus trees, three lime trees and two Pablimas trees at Uthangarai village.

For petitioners : Mr.David Tyagaraj

For R.1 & R.2 : Mr.M.C. Mahendran
Govt. Advocate

For 3rd respondent : M/s P.Wilson Associates

COMMON ORDER

The petitioners have filed the above Writ petitions to direct the first respondent to pass orders in the Arbitration applications dated 14.6.2013 in Ar.Nos.70, 71, 72 and 73 of 2013, filed under Section 3G (5)(2) of The National Highways Act for enhanced compensation which was heard on 06.06.2014 before the first respondent relating to the acquisition of the land in Uthangarai village.

2. Learned counsel for the petitioners submitted that the petitioners have filed the applications dated 14.06.2013 under Sec. 3G (5)(2) of The National Highways Act, claiming enhanced compensation. However, according to the petitioners, the first respondent has not disposed of the applications, filed by the petitioners, claiming enhanced compensation.

2. Mr.M.C. Mahendran, learned Government Advocate, taking notice for the respondents, submitted that the first respondent may be directed to dispose of the applications of the petitioners dated 14.6.2013, within a stipulated time.

3. 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 petitions, without expressing any opinion with regard to the merits of the case, I direct the first respondent to dispose of the applications dated 14.06.2013, filed by the petitioners, under Sec. 3G (5)(2) of The National Highways Act, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above observation, all the writ petitions are disposed of. No costs. Consequently, connected MPs are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sr

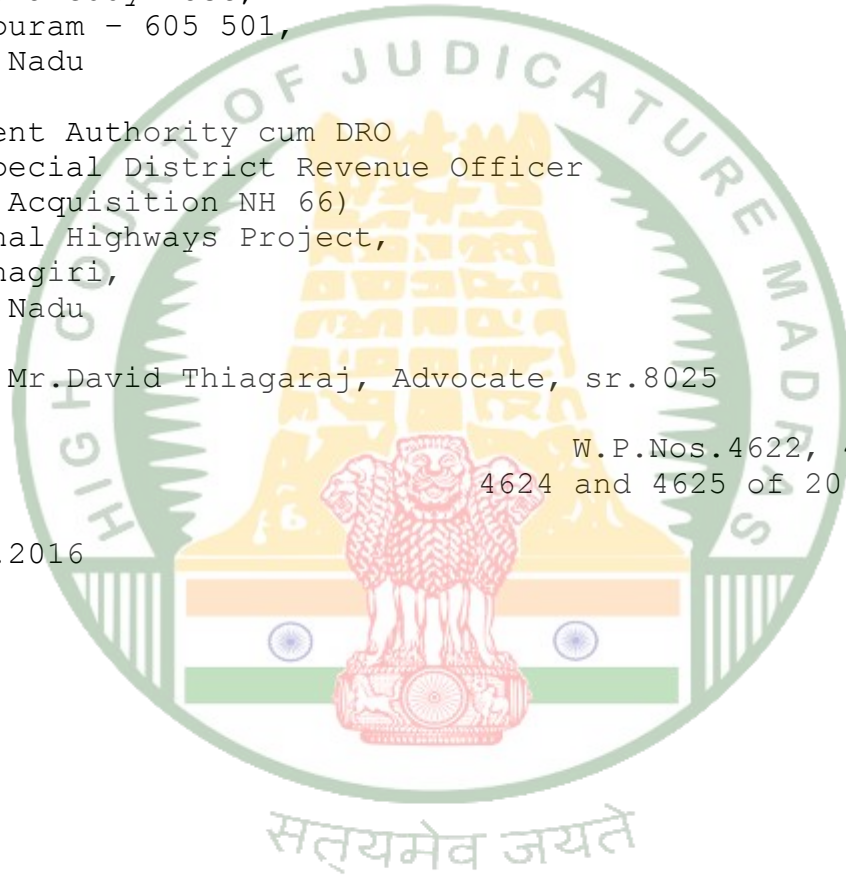
To

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Tamil Nadu

+4 ccs to Mr.David Thiagaraj, Advocate, sr.8025

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