



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) Nos.18127 & 18128 of 2016

1.M.Aarumugam  
2.S.Saravanan

... Petitioner in WP.18127/2016  
... Petitioner in WP.18128/2016

Vs.

The District Collector,  
O/o.The District Collector,  
Ramanathapuram District.

... Respondent in both Wps.

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider the Petitioner's representation, dated 01.09.2016 and initiate arbitration proceedings, as per Section 3G(5) of the National Highways Act, 1956 and grant enhancement of compensation within the time frame, as stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy  
(in both WPs)

For Respondent : Mr.N.S.Karthikeyan  
(in both WPs) Addl.Govt.Pleader

**COMMON ORDER**

These Writ Petitions have been filed praying for issuance of Writ of Mandamus, directing the respondent to consider the Petitioner's representation, dated 01.09.2016 and initiate arbitration proceedings, as per Section 3G(5) of the National Highways Act, 1956 and grant enhancement of compensation within the time frame, as stipulated by this Court.

2. I have heard the learned counsel appearing on either side and perused the materials available on record.

3. The learned counsel appearing for the petitioners would submit that the petitioners lands were acquired by the respondent National Highways Authorities for laying National Highway 49. Subsequently, Award has been passed and amounts were deposited in



the petitioners' Bank account. Since, the petitioners are not satisfied with the Award, they made representation to the respondents to refer the matter for enhancement of compensation under Section 3-G(5) of the National Highways Act, 1956. But, so far, the respondent has not taken any action to refer the matter.

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4. Since the petitioner made an application seeking enhancement of compensation and the same is pending with the respondent, this Court directs the respondent to consider his application on merits and in accordance with law and pass suitable orders within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

The District Collector,  
O/o.The District Collector,  
Ramanathapuram District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.60663

+2 CC to Mr.T.LAJAPATHI ROY, Advocate, SR No.60095 & 60096

**W.P. (MD) Nos.18127 & 18128 of 2016**

**06.10.2016**

**MPK**

**SH/KM:07.11.2016:2P/4C**