

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.01.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.1203 of 2017

Mr.R.Srinivasan,
S/o.D.Ramadas

...Petitioner

Vs.

1. Union of India,
Rep. By its Secretary,
National Highways Department,
New Delhi.
2. National Highways Authority of India,
Rep. by its Project Director,
In Charge of NG 45,
Dindivanam,
Villupurak District,
Tamil Nadu.
3. The District Collector,
Villupuram.
4. The Competent Authority (L.A)
NH-45, Thindivanam Bye Pass,
Villupuram Collectorate,
Villupuram District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 4th respondent to dispose of the petitioner's representation dated 28.11.2016.

For Petitioner : Mr.David Tyagaraj
For Respondents : Mrs.S.R.Sumathy for R2
Mr.M.Elumalai, Government Advocate
for R3 & R4

O R D E R

This writ petition has been filed by Mr.R.Srinivsan, Son of D.Ramadas, seeking a limited prayer to direct the Competent Authority (L.A), NH-45, Thindivanam Bye Pass, Villupuram

Collectorate, Villupuram District/fourth respondent herein, to dispose of the pending representation dated 28.11.2016, wherein the petitioner has prayed for implementation of the order dated 09.09.2016 passed by the Arbitrator and District Collector, Villupuram under Section 3G(5) of the National Highways Act 1956 (Act 48/1956), dated 09.09.2016.

2.Mrs.S.R.Sumathy, learned counsel takes notice for second respondent and Mr.M.Elumalai, learned Government Advocate takes notice for respondents 3 and 4.

3.A perusal of the order dated 09.09.2016 shows that the Arbitrator and District Collector, Villupuram, has already directed the fourth respondent/Competent Authority to pay the enhanced amount to the petitioner under Section 3G and 3H(5) of the National Highways Act, 1956 on the basis of the revised land value fixed herein viz. in the arbitration award and further, directed the fourth respondent to report compliance to Arbitrator's office. As the compliance has not been done, the petitioner has made a representation dated 28.11.2016 to the fourth respondent. But the fourth respondent has not considered the representation so far.

4.This Court, considering the limited prayer sought for by the petitioner and since the lands were acquired long back and that the learned Arbitrator has also passed an arbitration award, this Court hereby directs the fourth respondent/competent authority (Land Acquisition) to dispose of the petitioner's representation dated 28.11.2016, on the basis of the arbitration award dated 09.09.2016 by the Arbitrator cum District Collector, Villupuram within a period of two weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

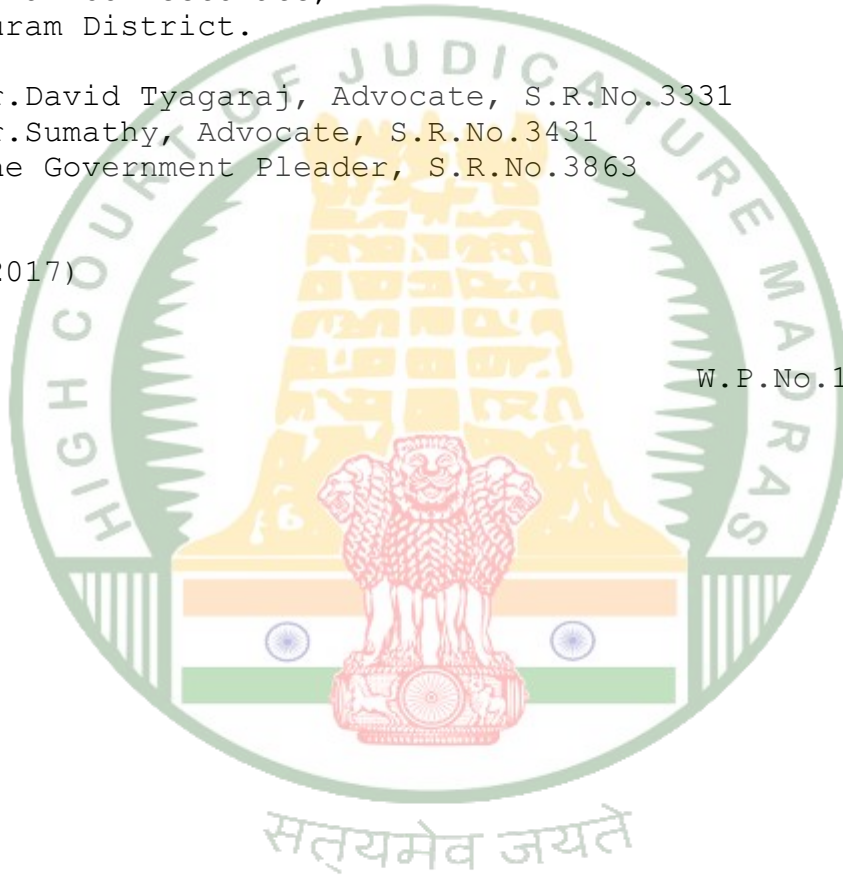
1. The Secretary,
Union of India,
National Highways Department,
New Delhi.

2. The Project Director,
1/C of NH 45,
National Highways Authority of India,
Dindivanam, Villupuram.
3. The District Collector,
Villupuram.
4. The Competent Authority (L.A)
NH-45, Thindivanam Bye Pass,
Villupuram Collectorate,
Villupuram District.

+1cc to Mr.David Tyagaraj, Advocate, S.R.No.3331
+1cc to Mr.Sumathy, Advocate, S.R.No.3431
+1cc to the Government Pleader, S.R.No.3863

SCD(CO)
RS(22/02/2017)

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