

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.Nos.25338 to 25356 of 2017

Pachiammal	...Petitioner in WP.25338/17
H.K.Mahaboob Ali	...Petitioner in WP.25339/17
R.Rani	...Petitioner in WP.25340/17
Pachiammal	...Petitioner in WP.25341/17
M.V.Chittaranjan	...Petitioner in WP.25342/17
L.Kumar	...Petitioner in WP.25343/17
Rajendran	...Petitioner in WP.25344/17
Kanagaraj	...Petitioner in WP.25345/17
Tharabai	...Petitioner in WP.25346/17
A.Elumalai	...Petitioner in WP.25347/17
Narendra Gupta	...Petitioner in WP.25348/17
Lakshmikandhan	...Petitioner in WP.25349/17
N.Chiranjeevi	...Petitioner in WP.25350/17
Kashthuri	...Petitioner in WP.25351/17
V.Selvarajan	...Petitioner in WP.25352/17
Chinni Krishnaiah	...Petitioner in WP.25353/17
V.Selvarajan	...Petitioner in WP.25354/17
C.V.Muralidhavan	...Petitioner in WP.25355/17
M.C.Jyothi	...Petitioner in WP.25356/17

vs.

1.The Special District Revenue Officer (L.A.)
National Highways Scheme - 5,
Kancheepuram and Tiruvallur District
Camp Office at Taluk Office, Poonamallee
Tiruvallur District.

... 1st Respondent in
WP.25338,25339,25340,25341/2017

1.The Special District Revenue Officer (L.A.)
National Highways Scheme -205,
Tiruvallur, Periyakuppam,
Tiruvallur District.

... 1st Respondent in WP.25342/2017,
25343/2017, 25344/2017,
25345/2017, 25346/2017,
25347/2017, 25348/2017,
25349/2017, 25350/2017,
25351/2017, 25352/2017,
25353/2017, 25354/2017,
25355/2017, 25356/2017

2.The Project Director
National Highways Authority of India
Chenani - 600 032.

3.The District Collector
Tiruvallur District
(R3 Suo Motu impleaded as per order
dated 21.09.2017) ... 2nd and 3rd Respondents
in all the petitioners

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 1st respondent to number the Arbitration Petition dated 26.05.2017, 17.07.2017, 17.07.2017, 26.05.2017, 14.09.2016, 21.02.2017, 24.05.2017, 28.09.2016, 14.09.2016, 13.10.2016, 14.09.2016, 20.06.2017, 14.09.2016, 24.05.2017, 17.07.2017, 14.09.2016, 17.07.2017, 25.11.2016 and 14.09.2016 respectively filed by the petitioner under Section 3G (5) of the National Highways Act 1956 for enhanced compensation to the acquired land of the petitioner and to pass an order of enhanced compensation along with the other statutory benefits.

For Petitioners in : Mr.P.S.Kothandaraman
all the petitioners

For Respondents in : Mr.S.Diwakar
all the petitioners Special Govt.Pleader-for R1& R3

Ms.S.R.Sumathy - for R2

COMMON ORDER

Mr.S.Diwakar, learned Special Government Pleader, takes notice for the respondents 1 and 3 and Ms.S.R.Sumathy, learned counsel takes notice for the 2nd respondent. By consent, the main writ petitions are taken up for disposal at the admission stage itself.

2. The petitioners have filed the above Writ Petitions to issue a Writs of Mandamus, directing the 1st respondent to number the Arbitration Petitions filed by the petitioners under Section 3G (5) of the National Highways Act 1956 for enhanced compensation to the acquired land of the petitioners and to pass an order of enhanced compensation along with the other statutory benefits.

3. The learned counsel appearing for the petitioners submitted that the petitioners have filed the Arbitration Petitions under section 3(G)(5) of the National Highway Act claiming enhanced compensation. However, the 1st respondent has not yet numbered the arbitration petitions and taken up

the same for hearing.

4. The Authority under the National Highways Act to entertain the Arbitration proceedings is the District Collector. However, the petitioner has not made the District Collector as respondent in the writ petitions. In these circumstances, in the interest of justice, the District Collector, Tiruvallur District is suo motu impleaded as 3rd respondent in all these writ petitions.

5. Mr. S. Diwakar, learned Special Government Pleader, appearing for the respondents 1 and 3 submitted that the 3rd respondent may be directed to number the Arbitration petitions filed by the petitioners and dispose of the same, in accordance with law, within a time frame.

6. Having regard to the submissions made by the learned counsel on either side, I direct the 3rd respondent to number the Arbitration petitions filed by the petitioners under Section 3G (5) of the National Highways Act, within one week from the date of receipt of a copy of this order and dispose of the same in accordance with law, after giving an opportunity of hearing to the petitioners, within a period of twelve weeks from the date of numbering of the petitions.

With these observations, the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Special District Revenue Officer (L.A.)
National Highways Scheme - 5,
Kancheepuram and Tiruvallur District
Camp Office at Taluk Office, Poonamallee
Tiruvallur District.

2. The Project Director
National Highways Authority of India
Chenani - 600 032.

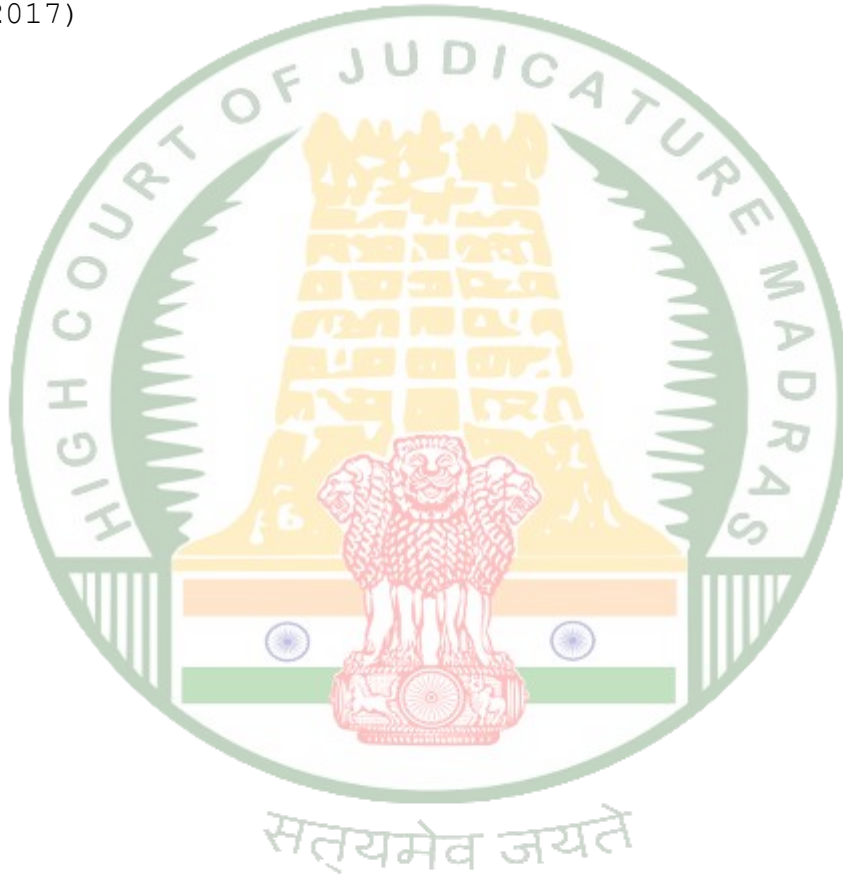
3. The District Collector
Tiruvallur District.

4.The Special District Revenue Officer (L.A.)
National Highways Scheme -205,
Tiruvallur,Periakuppam, Thiruvallur District

+1cc to Mr.P.S.Dothanda raman, Advocate, S.R.No.69545
+1cc to the Government Pleader, S.R.No.69820

W.P.Nos.25338 to 25356 of 2017

PA (CO)
GN (09/10/2017)



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