

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 05.12.2017**

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.22214 of 2017**

Dr.S.Sekar

... Petitioner

Vs.

1. The Secretary to Government of India,
Ministry of Road Transport and Highways (PIC Zone),
Transport Bhawan, 1, Parliament Street,
New Delhi - 110 001.
2. The Arbitrator,
District Collector - Virudhunagar,
Virudhunagar.
3. National Highways Authority of India,
Represented by its
Project Director,
Madurai - 20.
4. The Authorised Officer /
Special District Revenue Officer (Land Acquisition),
National Highways of India No.7 and 45B,
Virudhunagar.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd Respondent to enhance and fix fair compensation of the award amount by taking into consideration of the market value of Rs.2,00,000/- per cent of the lands situated in and around the areas by considering the petitioner's representation dated 24.11.2017 to the 2nd Respondent.

For Petitioners : Mr.L.Prabhu

For Respondents : Mr.G.Rajaraman for R.1
Mr.T.S.Mohamed Mohideen,
Additional Government Pleader
for R.2 to R.4

**O R D E R**

By consent, this writ petition itself is taken up for final disposal.

2. Mr.G.Rajaraman, learned Counsel takes notice for the first respondent and T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for respondents 2 to 4.

3. According to the petitioner, the subject mentioned property belongs to him and the same was acquired by the third respondent. For the said acquisition, necessary compensation had also been effected. Being dissatisfied with the compensation awarded, the petitioner has preferred an appeal before the second respondent on 09.08.2011, which, subsequently, came to be rejected by an order dated 18.09.2017. It is his specific case that the second respondent, being the arbitrator, without appreciating the material documents placed by the petitioner, has unilaterally passed the rejection order. Aggrieved over the same, the petitioner, once again, has submitted a representation dated 24.11.2017, narrating all the facts and circumstances, before the second respondent and as the same is kept pending, without any action, he is before this Court.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner dated 24.11.2017 is disposed of, by the second respondent, as per law, within a stipulated time limit.

5. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going into the merits of the claim, directs the second respondent to consider the representation of the petitioner dated 24.11.2017 and after perusing all the material evidence, pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioners as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar



To

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4. The Authorised Officer /
Special District Revenue Officer (Land Acquisition),
National Highways of India No.7 and 45B,
Virudhunagar.

+1cc to Mr.G.Rajaraman, Advocate Sr.No.90995
+1cc to Mr.L.Prabhu, Advocate Sr.No.90852

GK

VB/JC/SAR4/20/12/2017/3P/7C

W.P(MD)No.22214 of 2017
05.12.2017