

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. No. 24778 of 2018

D.Duraivelu

... Petitioner

Vs.

1.The District Collector,
O/o. District Collector,
Thiruvallur District.602 001.

2.The Special District Revenue Officer(LA),
National Highways,
Thiruvallur District. 602 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ in the nature of Mandamus directing the first and second respondents to consider the representation dated 16.08.2018 preferred by the petitioner, within a time frame to be fixed by this Hon'ble Court and grant the enhanced compensation for the lands acquired on the reasoning of parity with others.

For Petitioner : Mr.K.Chandrasekhar

For Respondents: Mr.C.Thirumaran
Special Government Pleader

सत्यमेव जयते
O R D E R

This Writ Petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 16.08.2018.

2. The case of the petitioner is that the petitioner's land was acquired by the respondents and an award has also been passed, and not being satisfied with the award, the petitioner has filed an Arbitration proceedings before the first respondent District Collector and the first respondent also passed an order enhancing the compensation at the rate of Rs.623/- per sq.ft., whereas, the first respondent has awarded higher amount of compensation for the similarly placed person like that of the petitioner. In the said circumstances, the petitioner has made

a representation before the first respondent seeking for enhancement of compensation. Since, the representation was not considered by the first respondent, the present Writ Petition has been filed.

3. Admittedly, already an award has been passed by the respondent, after the award has been passed, the authority cannot review his own order, and the only remedy available to the petitioner is to file a petition challenging the award before the concerned District Court under Section 34 of the Arbitration and Conciliation Act.

4. In the said circumstances, the relief sought for by the petitioner cannot be granted. Hence, this Writ Petition is dismissed. However, the petitioner is at liberty to challenge the award passed by the first respondent in the manner known to law if he is so advised. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

mrp

To

- 1.The District Collector,
O/o. District Collector,
Thiruvallur District.602 001.
- 2.The Special District Revenue Officer(LA),
National Highways,
Thiruvallur District. 602 001.

+1cc to Mr.C.K.Chandrasekar, Advocate, S.R.No.65281
+1cc to the Government Pleader, S.R.No. 65838

W.P. No. 24778 of 2018

RSI (CO)
GN(29/10/2018)

WEB COPY