

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.14852 of 2018

S.Bakthavatchalam

..Petitioner

Vs

The Arbitrator Cum District Collector
Thiruvallur District,
Thiruvallur.

...Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the Arbitrator cum District Collector, Thiruvallur District, the respondent herein, to consider and dispose of the petitioner's arbitration application dated 24.07.2016 submitted as per section 3-G (5) of the National Highways Act, 1956, after affording the petitioner an opportunity to be heard in person, within a time limit.

For Petitioner	: Mr.J.Thilagaraj
For Respondent	: Mr.Akhil Akbar Ali
	Government Advocate

ORDER

Mr.Akhil Akbar Ali, learned Government Advocate takes notice for the respondent. By consent, this writ petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come up with the present writ petition for issuance of a writ of Mandamus to direct the respondent to consider and dispose of his application dated 24.07.2016.

3. According to the petitioner, his lands measuring an extent of 46.45 sq.meters comprised in S.No.34-B of Veppampattu Village, Thiruvallur District was acquired by the respondent for laying Chennai - Thirupathi National Highway No.205. Since the award passed by the competent authority was meager, he submitted an application/representation dated 24.07.2016 to the respondent seeking enhancement of compensation. Since no action

was taken, the present writ petition.

4. The learned Counsel for the petitioner submitted that it would suffice, if a suitable direction is issued to the respondent to pass orders on the application/representation of the petitioner.

5. The learned Government Advocate appearing for the respondent submitted that the application/representation of the petitioner would be considered in accordance with law.

6. In the light of the limited scope of prayer sought in this writ petition and also the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent to consider the application/representation of the petitioner dated 24.07.2016 and pass orders on merits and in accordance with law, after providing an opportunity of personal hearing to all necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msrm

To

The Arbitrator Cum District Collector
Thiruvallur District,
Thiruvallur.

+2cc to Mr.Mr.J.Thilagaraj, Advocate, S.R.No.38933
+1cc to the Government Pleader, S.R.No.39573

W.P.No.14852 of 2018

nr 09/07/2018