

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.30912 of 2018
and
W.M.P.No.36061 of 2018

Arulsamy

... Petitioner

Vs.

1. The Chairman,
National Highways Authority of India,
Head Office, G5 & 5, Sector 10, Dwarka,
New Delhi 110 075.
2. The District Collector,
Ariyalur District,
Ariyalur.
3. The Competent Authority/Special District,
Revenue Officer (Land Acquisition).
National Highway,
No.227, Ariyalur District,
Tiruchirappalli District,
Tamil Nadu.
4. The Special Tahsildar (Land Acquisition),
NH 227, Ariyalur Taluk,
Ariyalur.
5. The Project Director,
National Highway Authority of India,
No.26, First Floor.
UGP Nagar West,
Vazhudhareddy Post,
Villupuram 605 401

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to dispose of the Appeal dated 27.04.2018 pending on the file of the 2nd respondent not to

acquire the petitioners property situated at Poondi (Kokkudi) Village, Ariyalur Taluk and District comprised in Survey No.298A/A1.

For Petitioner : Mr.K.Desingh

For Respondents : Mr.Su.Srinivasan,
ASG for R1 & R5

: C.Thirumaran,
Spl. G.P. for R2 to R4.

O R D E R

This writ petition has been filed seeking direction to the second respondent to dispose the petitioner's appeal filed under Section 3G(5) of the National Highways Act 1956.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. According to the petitioner, the petitioner's land was acquired and award was also passed. Not being satisfied with the award, the petitioner filed an arbitration petition before the respondent under Section 3G(5) of the National Highways Act on 27.04.2018. But, so far it was not disposed off by the second respondent, hence, the present writ petition has been filed.

4. Considering the limited prayer sought for in the writ petition, and since the arbitration petition is pending with the second respondent, the second respondent is directed to consider the same and pass suitable orders on merits and in accordance with law after giving an opportunity of hearing to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

mrp

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Chairman,
National Highways Authority of India,
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+1cc to Mr.R.Ramesh, Advocate, S.R.No.81186
+1cc to the Government Pleader, S.R.No.81769

W.P.No.30912 of 2018
and
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KAK(19/02/2019)



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