



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.08.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.GOVINDARAJ**

W.P (MD) No.16412 of 2018

WEB COPY

R.Saravanan

: Petitioner

Vs.

1. The District Collector/Arbitrator,
District Collector Office,
Tiruvarur District.
2. The Project Director,
National Highways Authority of India,
No.54, First Floor,
Natarajapuram North Colony,
Medical College Road,
Thanjavur.
3. The Competent Authority -cum-
Special District Revenue Officer,
National Highway (LA) - NH 45 C,
Tiruvarur District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to pass orders based on the documents submitted by the petitioner in arbitration proceedings in the light of the order made in W.P.(MD)No.8347 of 2017, dated 24.07.2017 by this Court and by considering the petitioner's representation dated 10.07.2018, within the time that may be stipulated by this Court.

For Petitioner	: M/s.P.Yasmin Begum
For Respondents 1&3	: Mrs.J.Padmavathi Devi, Special Government Pleader
For Respondent No.2	: Mr.R.Rajagopal

ORDER

The petitioner has come forward with the present Writ Petition seeking for issuance of a Writ of Mandamus, directing the first respondent to pass orders based on the documents submitted by him in arbitration proceedings, in the light of the order passed by this Court in W.P.(MD)No.8347 of 2017, dated 24.07.2017 and by considering his representation dated 10.07.2018, within the time stipulated by this Court.



2. Heard the submissions made on either side.

3. The petitioner has already approached this Court for initiation of arbitration proceedings by filing W.P.(MD)No.8347 of 2017. This Court has also given a direction to the first respondent herein, by its order dated 24.07.2017, to consider the representation of the petitioner dated 01.02.2017 for initiation of arbitration proceedings, within a period of two weeks. Yet, the first respondent has not passed any order on the arbitration proceedings. Hence, the Writ Petition.

4. The learned counsel for the petitioner would submit that the claimant-Devayani, the mother of the petitioner, expired on 25.09.2017 and the legal heirs are contesting the case now.

5. Considering the facts and circumstances of the case, without going into the merits of the case, a direction is issued to the first respondent to give personal hearing to the legal heirs of the claimant Devayani and thereafter, pass orders in the arbitration proceedings on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The District Collector/Arbitrator,
District Collector Office,
Tiruvarur District.

2. The Competent Authority -cum-
Special District Revenue Officer,
National Highway (LA) - NH 45 C,
Tiruvarur District.

+1cc to M/s.P.Yasmin Begum, Advocate Sr.No.76413

+1cc to Mr.R.Rajagopal, Advocate Sr.No.76159

+1cc to Spl.Government Pleader Sr.No.76551

SML

VB/MMS/SAR3/11.08.2018/2P/6C