

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.7969 of 2019
&
W.M.P.No.8575 of 2019

Palanivel

... Petitioner

vs.

1.Arbitrator cum District collector,
National Highways,
No.45-C, New Collectorate,
Cuddalore District - 607 001.

2.The Project Director,
National Highways Authority of India,
No.54, First Floor,
Natarajapuram North Colony,
Medical College Road,
Thanjavur.

3.The Authorised Officer - cum -
Special Tahsildar (Land Acquisition),
National Highways 45-C, Range 3,
Kattumannarkoil (E),
Sethiathoppu

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the first respondent to number the arbitration petition dated 13.07.2018 and dispose of the same in accordance with law at an early date.

For Petitioner : Mr.V.Anand

For R1 & R3 : Mr.M.Elumalai
Government Advocate

For R2 : Mrs.S.R.Sumathy

O R D E R

This petition has been filed by the petitioner to direct the first respondent to number the arbitration petition dated 13.07.2018 and dispose of the same in accordance with law at an

early date.

2. According to the petitioner, the petitioner has filed arbitration petition dated 13.07.2018, before the District Collector, Cuddalore and the said petition is still pending, without even numbering. In order to number the said petition and to dispose of the same, the petitioner has come out with the present petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the said original petition has been filed in time and the same has not been taken on file by the first respondent. Therefore, appropriate direction may be given to the first respondent to entertain the original petition and to dispose of the same at the earliest.

5. The learned Government Advocate appearing for the first and third respondents would submit that the said original petition had been filed well within prescribed time and it is for the authority to consider the same and pass orders in accordance with law.

6. The learned counsel for the second respondent also reiterated the stand of the learned Government Advocate.

7. Considering the facts and circumstances of the case, if the unnumbered original petition was filed well within the prescribed time, the first respondent is directed to consider the unnumbered original petition and dispose of the same on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

8. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

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To

1.Arbitrator cum District collector,
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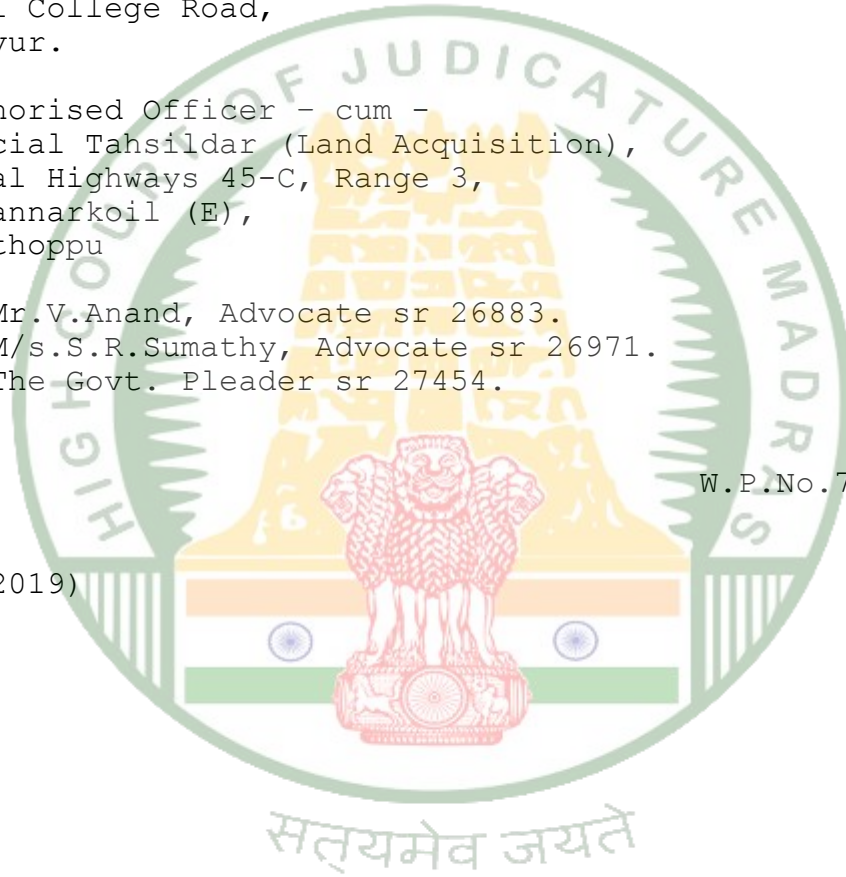
+1 CC to Mr.V.Anand, Advocate sr 26883.

+1 CC to M/s.S.R.Sumathy, Advocate sr 26971.

+1 CC to The Govt. Pleader sr 27454.

W.P.No.7969 of 2019

NRL (CO)
SP(06/05/2019)



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