

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.9360 of 2019

S.Gowtham

... Petitioner

vs.

1.The Arbitrator-cum-District Collector,
Salem District,
Salem.

2.The Competent Authority and
Special District Revenue Officer (LA),
NH 7, 46 & 47,
Salem - Dharmapuri Districts,
@ Krishnagiri.

3.The Special Tahsildar (LA),
National Highways No.47,
Unit - 3, Salem.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to dispose the petitioner's representation dated 01.03.2019 made to conclude the Arbitration Case No.1067/2014, pending under Section 3G(5) of National Highways Act, 1956 within a specific time limit and pass orders on merits for enhanced compensation amount in accordance with law.

For Petitioner : Mr.Shankar K.P.M

For Respondents : Mr.D.Raja

Additional Government Pleader

ORDER

This writ petition has been filed to direct the first respondent to dispose the petitioner's representation dated 01.03.2019 made to conclude the Arbitration Case No.1067/2014, pending under Section 3G(5) of National Highways Act, 1956 within a specific time limit and pass orders on merits for enhanced compensation amount in accordance with law.

2. By consent of both the parties, the writ petition is taken up for final disposal.

3. According to the petitioner, the petitioner has preferred an Arbitration Case No.1067/2014 under Section 3G(5) of National Highways Act, 1956, for determination of compensation. Thereafter, he made a representation dated 01.03.2019 to the first respondent to conclude the said arbitration case. Since the first respondent has not passed any final order, the petitioner has come out with this present petition.

4. The learned Government Advocate submitted that since the first respondent-District Collector is appointed as an election officer for the Lok Sabha election, longer time may be fixed to dispose of the arbitration case.

5. Considering the submissions of both the counsel, without expressing any opinion and without going into merits of the case, this Court is inclined to direct the first respondent to conclude the Arbitration Case No.1067/2014, pending under Section 3G(5) of National Highways Act, 1956 and pass orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this Order.

6. With the above directions, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

1.The Arbitrator-cum-District Collector,
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Salem.

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NH 7, 46 & 47,
Salem - Dharmapuri Districts,
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+1cc to Mr.KPM.Shankar, Advocate SR.No.30803

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KK (CO)
GMY (09/05/2019)



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