



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.06.2019

CORAM:
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13525 of 2019

1. Sathaiah
2. Anguthai ... Petitioners

Vs.

1. The District Collector,
Ramanathapuram
2. The Special District Revenue Officer,
(Land Acquisition, National Highways)
Ramanathapuram. ... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to pass orders on the arbitration petition submitted by the petitioners before the first respondent on 23.07.2015 for enhancement of compensation payable for acquisition of the properties in Survey No.135/1B and 133/2B, Soorankottai Village, Ramanathapuram District within a time frame that may be fixed by this Court.

For Petitioners : Mr.T.R.Jeyapalam
For Respondents : Mr.M.Rajarajan
Government Advocate

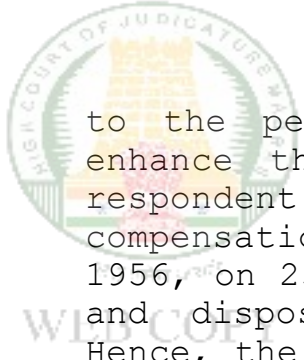
ORDER

The prayer in the writ petition is for a Writ of Mandamus to direct the first respondent to pass orders on the arbitration petition submitted by the petitioners before the first respondent on 23.07.2015 for enhancement of compensation payable for acquisition of the properties in Survey No.135/1B and 133/2B, Soorankottai Village, Ramanathapuram District.

2. Heard the learned counsel for the petitioners and the learned Government Advocate, who takes notice for the respondents.

3. By consent of both sides, the writ petition is taken up for final disposal at the stage of admission itself.

4. The grievance of the petitioners is that the land belong to the petitioners has been acquired for highways purpose by the Highways Authority who have fixed compensation, which, according



to the petitioners, is not adequate. Therefore, in order to enhance the compensation, the petitioners approached the first respondent District Collector for arbitration and to fix higher compensation under the provisions of the National Highways Act, 1956, on 23.07.2015. However, the same has not so far been decided and disposed of by the first respondent District Collector. Hence, the petitioner is before this Court.

5. I have heard the learned Government Advocate for the respondents, who would submit that, the said request of the petitioners by way of arbitration proceedings pending before the first respondent District Collector with regard to the compensation of the land acquired by the National Highways Authority, would be decided on merits within a time frame.

6. Considering the said submissions made by both sides, this Writ Petition is disposed of with the following direction:

"There shall be a direction to the first respondent District Collector to decide the arbitration petition submitted by the petitioners on 23.07.2015 and pass orders thereon with regard to the prayer for enhancement of compensation for the land acquired already. Such order shall be passed within a period of eight weeks from the date of receipt of a copy of this order." No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

RR

To

1. The District Collector,
Ramanathapuram
2. The Special District Revenue Officer,
(Land Acquisition, National Highways)
Ramanathapuram.

+ 1 CC to Mr.T.R.Jeyapalam, Advocate in Sr.No.69084

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