



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.08.2019**

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.17304 of 2019

M.Rajendran

...Petitioner

-Vs-

1.The District Collector Cum Arbitrator,
Trichirappalli, Trichirappalli District.

2.The Special District Revenue Officer,
(Land Acquisition) National Highways,
Trichirappalli District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the first Respondent to dispose off the Arbitration Petition dated 04.03.2018 filed by the Petitioner for enhancement of compensation of Rs.1,54,10,760/- in respect of land in Survey No.64/2A2B at Vellanur Village, Lalgudi Taluk, Trichy District.

For Petitioner : Mr.S.Vinayak

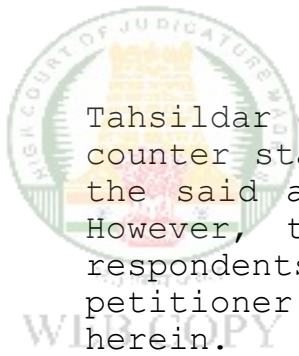
For Respondents : Ms.Vaishnavi, Government Advocate

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the first Respondent to dispose off the Arbitration Petition dated 04.03.2018 filed by the Petitioner for enhancement of compensation of Rs.1,54,10,760/- in respect of land in Survey No.64/2A2B at Vellanur Village, Lalgudi Taluk, Trichy District.

2.Heard Mr.S.Vinayak, learned counsel appearing for the petitioner and Mrs.Vaishnavi, learned Government Advocate appearing for the respondents.

3.The petitioner's land in Survey No.64/2A2B at Vellanur Village, Lalgudi Taluk, Trichy District seems to have been acquired for public purpose (highways purpose) and compensation has been awarded. However, not satisfying the same, for enhancement of compensation, the petitioner had made an application under Section 3 (G) of the National Highways Act, to the 1st respondent, who is the Arbitrator under the said provision, on 04.03.2018 and thereafter, it seems that, the 1st respondent directed the 2nd respondent



Tahsildar concerned vide his letter dated 20.11.2018 to prepare the counter statement and file the same on behalf of the respondents in the said arbitration petition to decide the same at the earliest. However, thereafter, no further action was forthcoming from the respondents, especially, the 1st respondent. Therefore, the petitioner is before this Court to seek mandamus as prayed for herein.

4.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the said arbitration petition filed and pending before the 1st respondent would be decided by the 1st respondent, on merits and in accordance with law, within a time frame.

5.Considering the said submissions made by both sides and having regard to the factual matrix of the case, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 1st respondent is directed to decide the arbitration petition dated 04.03.2018 made by the petitioner pending before the 1st respondent, on merits and in accordance with law and pass final orders thereon, after hearing the petitioner as well as the concerned respondents in that petition, within a period of 8 weeks from the date of receipt of a copy of this order".

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector Cum Arbitrator,
Trichirappalli, Trichirappalli District.
- 2.The Special District Revenue Officer,
(Land Acquisition) National Highways,
Trichirappalli District.

+1 CC to M/s.Special Govt.Pleader (SR-80315[F] dated 07/08/2019)
+1 CC to M/s.S.VINAYAK, Advocate (SR-80633[F] dated 08/08/2019)

Order made in

W.P. (MD) No.17304 of 2019

06.08.2019

Arul