



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.Nos.28709 and 28710 of 2015

K.Thangavelu ...Petitioner in W.P.No.28709/2015

K.Chinnadurai ...Petitioner in W.P.No.28710/2015

.Vs.

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

2.The Special District Revenue Officer (LA) N.H.68,
Competent Authority,
Door No.3B/8, Ram Nagar Road,
Swarnapuri (2nd Gate), Salem District- 636004

3.The Project Director,
National Highway Authority of India,
No.212 - 3/D3-1, Sri Nagar Colony,
Narasothipatti,
Salem - 636 004.

...Respondents in both W.Ps

W.P.No.28709/2015 filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 1st respondent - District Collector - cum - Arbitrator to consider the petitioner claim petition dated 03.05.2013 and conduct an arbitration by providing him an opportunity to file documents, examination of witness and advance an arguments by following the procedure mentioned in the Arbitration and Conciliation Act, 1996 within a time frame.

W.P.No.28710/2015 filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 1st respondent - District Collector - cum - Arbitrator to commence the enhancement proceedings under the National Highways Act, 1956, providing opportunity to the petitioner to file claim statement, documents, examination of witness and make arguments and conclude the enhancement proceeding within a time frame.

For Petitioner : Mr.D.Muthukumar
(in both W.Ps)



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For Respondents:
(in both W.Ps)

Mr.M.Elumalai,
Additional Government Pleader (R1 & R2)

Ms.Suhasini
for M/s.P.Wilson Associates (R3)

C O M M O N O R D E R

Mr.D.Muthukumar, learned counsel appearing for the petitioners submitted that since the District Collector had already rejected the application submitted by the petitioners, the Writ Petitions may be dismissed as infructuous.

2.Recording the submission made by the learned counsel for the petitioners, the Writ Petitions are dismissed as infructuous. However, if the petitioners are aggrieved over the order passed by the District Collector, it is open to them to challenge the same in accordance with law. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

- 1.The District Collector - cum - Arbitrator,
Collectorate, Salem, Salem District.
- 2.The Special District Revenue Officer (LA) N.H.68,
Competent Authority,
Door No.3B/8, Ram Nagar Road,
Swarnapuri (2nd Gate), Salem District.
- 3.The Project Director,
National Highway Authority of India,
No.212 - 3/D3-1, Sri Nagar Colony,
Narasothipatti,
Salem - 636 004.

+1cc to Government Pleader, SR.No.29630

W.P.Nos.28709 and 28710 of 2015

VSNII (CO)
RN(05/11/2020)