

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.11.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P.No.15031 of 2020

1. T.Chakrapani
2. Elumalai Achari
3. V.Chidambaram
4. K.Velayudam
5. K.Saravanan

... Petitioners

Vs.

1. National Highways Authority of India,
Rep. By its Project Director,
In charge of NH 4,
Thiruvallur,
Thiruvallur District.
2. The District Collector,
District Collector Office,
Master Plan Complex NH 205,
First Floor, Collectorate,
Thiruvallur District.
3. The Competent Authority,
Special District Revenue Officer
(Land Acquisition)
NH 4, Kancheepuram and Thiruvallur District,
Having Office at Tahsildar,
Poonamallee, Chennai-56.
4. The Special Tahsildar Land Acquisition,
National Highways NH-4,
Having Office at Tahsildar Office,
Poonamallee, Chennai-56.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the second respondent to dispose of the petitioner's Arbitration Application dated 06.01.2020 filed under Section 3G(5) of National Highways Act 1956.

For Petitioner	: Mr.David Tyagaraj
For Respondents	: Mr.Su.Srinivasan R1
	Standing Counsel
	Mr.D.Raja R2 to R4
	Additional Government Pleader

O R D E R

The present writ petition has been filed for the issue of a Writ of Mandamus directing the second respondent to dispose of the Arbitration Application filed by the petitioners on 06.01.2020 under section 3G(5) of the National Highways Act, 1956.

2. Heard Mr.David Tyagaraj, learned counsel for the petitioner, Mr.Su.Srinivasan, learned Standing Counsel for the first respondent and Mr.D.Raja, learned Additional Government Pleader appearing on behalf of the respondents 2 to 4.

3. The case of the petitioners is that their lands were acquired under the National Highways Act and compensation was fixed by the third respondent by proceedings dated 29.08.2018. The petitioners were not satisfied with the quantum of compensation fixed by the third respondent. Hence, an Arbitration Application came to be filed before the second respondent under the provision of the National Highways Act on 06.01.2020. The grievance of the petitioners is that the application has not been taken up for hearing by the second respondent and left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the second respondent to complete the Arbitration proceedings initiated by the petitioners through their application dated 06.01.2020 and pass final orders strictly in accordance with law within a period of six months from the date of a receipt of a copy of this order. The petitioners are directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rli

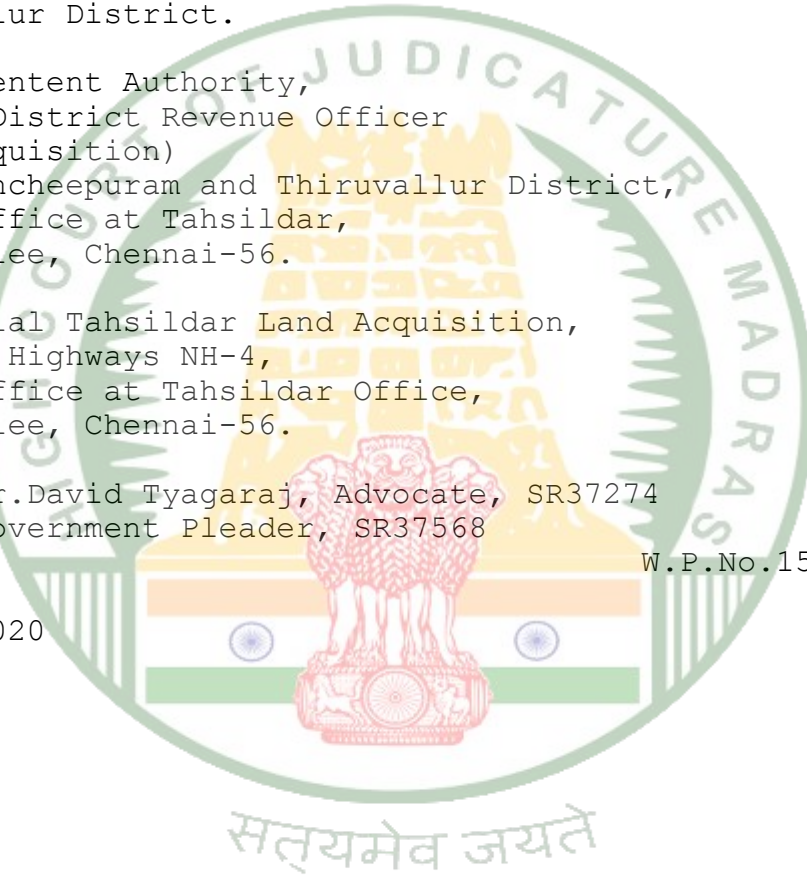
To

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+2cc's to Mr.David Tyagaraj, Advocate, SR37274
+1cc to Government Pleader, SR37568

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CO(SR)
BDL 19/12/2020



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