

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.11.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.15658 of 2020

&

W.M.P.No.19503 of 2020

D.Swaminathan

..Petitioner

Vs.

1.National Highways Authority of India (NHAI)
Rep by its Chairman
No.G-5&6, Sector-10, Dwarka
New Delhi-110075

2.The Project Director
National Highways Authority of India (NHAI)
(Ministry of Road Transport & Highways)
No.54, First Floor,
Natarajapuram North Colony,
Medical College Road, Thanjavur-613 004

3.The District Collector
Collectorate, Ariyalur-621704
Ariyalur District

4.The Competent Authority
District Revenue Officer (Land Acquisition)
National Highways-45C
Collectorate, Ariyalur-621704
Ariyalur District

5.The Special Tahsildar (LA)
National Highways-45C
Unit-I, Jeyankondam
Vikravandi-Kumbakonam-Thanjavur Section
Ariyalur District

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to consider the grievances of the petitioner in the Arbitration petition dated 07.10.2020 filed by him regarding grant of compensation in accordance with the Right to fair compensation and Transparency in Land Acquisition,

Rehabilitation and Resettlement Act, 2013 as amended by Tamilnadu Act 1 of 2015 for the acquired lands and superstructure comprised in Nanjai Survey No.85/8 of Thazhuthaazhaimedu Village, Udayarpalayam Talu, Ariyalur District for formation of two laning with paved shoulders of National Highway No.45C regarding the project namely Vikravandi-Kumbakonam-Thanjavur Section of NH45C.

For Petitioner : Mr.S.Giritharan
For Respondents : Mr.Su.Srinivasan, for R1 and 2
Ananda Moorthi, Addl.Govt.Pleader
for R3 to 5

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 3rd respondents to complete the Arbitration proceedings initiated by the petitioner on 08.10.2020 within the time limit stipulated by this Court.

2.Heard Mr.S.Giritharan, learned counsel appearing for the petitioner, Mr.Su.Srinivasan, learned counsel appearing for the respondents 1 and 2 and Mr. Ananda Moorthi, learned Additional Government Pleader appearing for the respondents 3 to 5.

3. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the petition filed by the petitioner on 08.10.2020, wherein he has sought for enhancement of compensation and shall pass final orders strictly in accordance with law within a period of six months from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order.

This writ petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Chairman
National Highways Authority of India (NHAI)
No.G-5&6, Sector-10, Dwarka
New Delhi-110075

2.The Project Director
National Highways Authority of India (NHAI)
(Ministry of Road Transport & Highways)
No.54, First Floor, Natarajapuram North Colony,
Medical College Road,Thanjavur-613 004

3.The District Collector
Collectorate. Ariyalur-621704
Ariyalur District

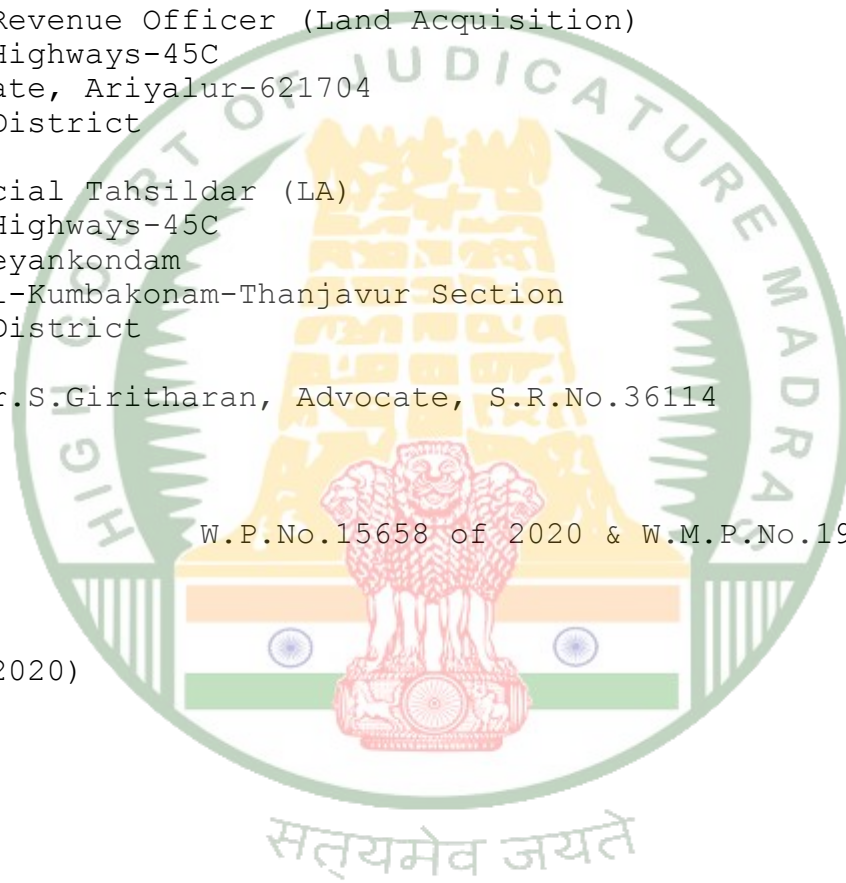
4.The Competent Authority
District Revenue Officer (Land Acquisition)
National Highways-45C
Collectorate, Ariyalur-621704
Ariyalur District

5.The Special Tahsildar (LA)
National Highways-45C
Unit-I, Jeyankondam
Vikravandi-Kumbakonam-Thanjavur Section
Ariyalur District

+1cc to Mr.S.Giritharan, Advocate, S.R.No.36114

W.P.No.15658 of 2020 & W.M.P.No.19503 of 2020

NMI (CO)
RV(11/12/2020)



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