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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.Nos.12344 and 12347 of 2021

Mariya Selvam
S/o. Daniel

... Petitioner in W.P.No.12344 of 2021

Mariya Stephen
S/o. Daniel

... Petitioner in W.P.No.12347 of 2021

Vs.

1. The District Collector/Arbitrator,
Dharmapuri District,
Dharmapuri 636 705.

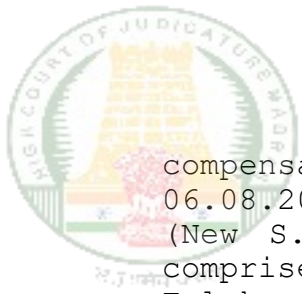
2. Competent Authority & Special
District Revenue Officer (LA) (CALA-SDRO)
Natural Highways - 844
Dharmapuri.

3. Project Director (PIU)
National Highways,
Krishnagiri.

... Respondents in Both Writ Petitions

Prayer in W.P.No.No.12344 of 2021 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to re-determine compensation amount ordered by the Second Respondent in his Pro.Roc No.13/2018/LA dated 06.10.2020 pertaining to the petitioner's land in S.F.No.457/3B measuring an extent of 80 Sq.mtrs (863.113 sq.feet approx) comprised at Patta No.1645 in Selliyampatti Village, Palacode Taluk, Dharmapuri District acquired by the Ministry of Road Transport and Highways, Government of India, New Delhi in the light of the Petitioner's claim dated 15.02.2021 filed by the petitioner under Section 3 (g) (5) of the National Highways Act, 1956 and after affording an opportunity of personal hearing to the petitioner and to appropriate orders thereon within a limited time frame.

Prayer W.P.No.12347 of 2021 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to re-determine



compensation amount as ordered in Pro.Roc No.13/2018/LA dated 06.08.2020 pertaining to Petitioner's land in S.F.No.457/3C2 (New S.F.No.457/3C2B) of the Second Respondent, pertaining to comprised at Patta No.26 in Selliyampatti Village, Palacode Taluk, Dharmapuri District acquired by the Ministry of Road Transport and Highways, Government of India, New Delhi in the light of the Petitioner's claim dated 02.11.2020 filed by the petitioner under Section 3(g)(5) of the National Highways Act, 1956 after affording an opportunity of personal hearing to the petitioner and to appropriate orders thereon within a limited time frame.

In Both Writ Petitions

For Petitioner : Mr.M.Ravi

For Respondents : Mr.K.M.D.Muhilan
Government Advocate - For R1 & R2

Mr.Su Srinivasan - For R3

COMMON O R D E R

(The case has been heard through video conference)

The Writ Petition No.12344 of 2021 has been filed seeking a direction directing the first respondent to re-determine compensation amount ordered by the Second Respondent pertaining to the petitioner's land in S.F.No.457/3B measuring an extent of 80 Sq.mtrs comprised at Patta No.1645 in Selliyampatti Village, Palacode Taluk, Dharmapuri District in the light of the Petitioner's claim dated 15.02.2021 filed under Section 3(g)(5) of the National Highways Act, 1956 and to pass appropriate orders within a time frame.

2. The Writ Petition No.12347 of 2021 has been filed seeking a direction directing the first respondent to re-determine compensation amount ordered by the Second Respondent, pertaining to petitioner's land in S.F.No.457/3C2 (New S.F.No.457/3C2B) comprised at Patta No.26 in Selliyampatti Village, Palacode Taluk, Dharmapuri District in the light of the Petitioner's claim dated 02.11.2020 filed under Section 3(g)(5) of the National Highways Act, 1956 and to pass appropriate orders within a time frame.

3. The grievance of the petitioners is that, against the award passed by the second respondent dated 06.10.2020 and 06.08.2020 respectively, the petitioners have filed applications for arbitration before the 1st respondent under Section 3-G (5)



of the National Highways Act, 1956 on 15.02.2021 and 02.11.2020 respectively. But, so far, the applications were not considered and no orders have been passed on it. Hence, the present writ petitions have been filed by the petitioners.

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4. Considering the limited prayer sought in the Writ Petitions, without going into the merits of the case, the 1st respondent District Collector/Arbitrator, is directed to consider the petitioners' applications filed under Section 3-G (5) of the National Highways Act, 1956 and to pass suitable orders on merits in accordance with law after hearing the petitioners and other interested persons, if any, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector/Arbitrator,
Dharmapuri District,
Dharmapuri 636 705.
2. Competent Authority & Special
District Revenue Officer (LA) (CALA-SDRO)
Natural Highways - 844
Dharmapuri.
3. Project Director (PIU)
National Highways,
Krishnagiri.

W.P.Nos.12344 and 12347 of 2021

PL(CO)
CB(22/07/2021)