



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.Nos. 13256 & 13257 of 2021

K.Ramanathan
S/o. Kuppusamy

.. Petitioner in
W.P.No.13256 of 2021

R.Sugunalatha,
W/o. K.Ramanathan

... Petitioner in
W.P.No.13257 of 2021

Versus

1. The Arbitrator/District Collector,
The National Authority Act,
Tiruppur Dt.

2. The Competent Authority and
Special District Revenue Officer,
(LA) (NH 47 and 67),
Coimbatore.

... Respondents in both
W.P.s

3. The Project Director,
National Highways Authority of
India, Chennai-32.
(Suo Motu impleaded as 3rd respondent
vide order dated 05.07.2021)

COMMON PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's Statutory Appeal dated 19.04.2014 within the time stipulated by this Hon'ble Court.

For Petitioners in both W.P.s : Mr.K.V.Muthuvisakan

For Respondents in both W.P.s : Mr.Yogesh Kannadasan,
Govt. Advocate

Mr.Su.Srinivasan for R3



O R D E R

(The case has been heard through video conference)

These Writ Petitions have been filed seeking a direction directing the 1st respondent to dispose of the petitioners Statutory appeal dated 19.04.2014 filed under Sec.3-G (5) of National Highways Act.

2. The grievance of the petitioner is that, the petitioner's land was acquired and award was passed. Not being satisfied with the award, the petitioners have initiated arbitration proceedings under Sec. 3-G(5) of National Highways Act before the 1st respondent as early as 19.04.2014. But, so far, their appeals were not considered and no orders have been passed on it. Hence, the present Writ Petition has been filed by the petitioner.

3. Earlier, when the matter came up for hearing, Mr.Yogesh Kannadasan, learned Government Advocate was directed to get instructions whether the arbitration proceedings is still pending with the 1st respondent.

4. Today, when the matter taken up for hearing, learned Government Advocate would submit that the matters are still pending with the 1st respondent.

5. Considering the facts and circumstances, the matters are pending from the year 2014, the 1st respondent is directed to consider the petitioners' appeal and pass suitable orders on merits in accordance with law after giving opportunity to the petitioners within a period of twelve weeks from the date of receipt of a copy of this order. These Writ Petitions are disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Arbitrator/District Collector,
The National Authority Act,
Tiruppur Dt.



2. The Competent Authority and
Special District Revenue Officer,
(LA) (NH 47 and 67),
Coimbatore.

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3. The Project Director,
National Highways Authority of
India, Chennai-32.

+2ccs to Mr.K.V.Muthuvisakan, Advocate, S.R.No.31224, 31225.
+1cc to the Government Pleader, S.R.No.31711.

W.P.Nos. 13256 & 13257
of 2021

JPL (CO)
HS (18/08/2021)