



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.Nos.24542, 24544 to 24546, 24548 to 24552, 24554,
24557, 24558, 24560 to 24563, 24565, 24566, 24568,
24569, 24572 to 24581, 24583, 24585 to 24587 &
24589 to 24592 of 2021

M.RANI	... PETITIONER in WP No.24542 of 2021
M.RANI	... PETITIONER in WP No.24544 of 2021
S.THANGAM	... PETITIONER in WP No.24545 of 2021
M.UDAYAKUMAR	... PETITIONER in WP No.24546 of 2021
M.UDAYAKUMAR	... PETITIONER in WP No.24548 of 2021
P.K.KOTHANDARAMAN	... PETITIONER in WP No.24549 of 2021
P.K.KOTHANDARAMAN	... PETITIONER in WP No.24550 of 2021
K.RAJESHWARI	... PETITIONER in WP No.24551 of 2021
S.GOPI@BHUVANESWARI	... PETITIONER in WP No.24552 of 2021
S.GOPI@BHUVANESWARI	... PETITIONER in WP No.24554 of 2021
P.K.KOTHANDARAMAN	... PETITIONER in WP No.24557 of 2021
S.GOPI @ BHUVANESWARI	... PETITIONER in WP No.24558 of 2021
S.GOPI @ BHUVANESWARI	... PETITIONER in WP No.24560 of 2021
S.GOPI @ BHUVANESWARI	... PETITIONER in WP No.24561 of 2021
R. MADHANA GOPAL	... PETITIONER in WP No.24562 of 2021
R. MADHANA GOPAL	... PETITIONER in WP No.24563 of 2021
M. AMBIKA	... PETITIONER in WP No.24565 of 2021
M. KARTHICK	... PETITIONER in WP No.24566 of 2021
S. LAKSHMIAH	... PETITIONER in WP No.24568 of 2021



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V.DURAI MOHAN	... PETITIONER in WP No.24569 of 2021
V.DURAI MOHAN	... PETITIONER in WP No.24572 of 2021
M.UDAYAKUMAR	... PETITIONER in WP No.24573 of 2021
C.JEYACHANDRAN	... PETITIONER in WP No.24574 of 2021
C.JEYACHANDRAN	... PETITIONER in WP No.24575 of 2021
R.DURAI BABU	... PETITIONER in WP No.24576 of 2021
D.SATHASIVAM	... PETITIONER in WP No.24577 of 2021
M.REVATHI	... PETITIONER in WP No.24578 of 2021
P.K.KOTHANDARAMAN	... PETITIONER in WP No.24579 of 2021
R.RAJENDRAN	... PETITIONER in WP No.24580 of 2021
M.RANI	... PETITIONER in WP No.24581 of 2021
M.RANI	... PETITIONER in WP No.24583 of 2021
M.UDAYAKUMAR	... PETITIONER in WP No.24585 of 2021
S.GOPI ALIAS BHUVANESWARI	... PETITIONER in WP No.24586 of 2021
S.GOPI ALIAS BHUVANESWARI	... PETITIONER in WP No.24587 of 2021
V.DURAI MOHAN	... PETITIONER in WP No.24589 of 2021
R.MADANA GOPAL	... PETITIONER in WP No.24590 of 2021
M.KARTHICK	... PETITIONER in WP No.24591 of 2021
M.AMBIKA	... PETITIONER in WP No.24592 of 2021

Vs

- 1.The Arbitrator & District Collector,
Thiruvallur District
- 2.The Special District Revenue Officer(LA),
NH 205, No.3 & 4, Lal Bagadhur Sasthiri Street,
Periyakuppam Railway Street,
Near Thulasi Theatre, Thiruvallur 602 001



3.The Project Director,
National Highways Authority of India,
Project Implementation Unit - Chennai,
"SRI TOWER", 3rd Floor, DP-34(SP),
Industrial Estate, Guindy,
Chennai-32

...Respondents in all W.Ps

Prayer in WP.No.24542 of 2021:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to pay the petitioner the enhanced compensation as per the proceedings of the first respondent made in Rc.No.5635-1/2019/F2 /Arbitration dated 21.01.2020 for petitioner's lands measuring an extent of 21 sq.mtr situated in S.No.71/6B (Old S.No.71/6), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Court.

Prayer in WP No.24544 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-2/ 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 106 Sq. mtr situated in S.No.95/2B (Old S.No.95/2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24545 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-5/ 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 51 Sq. mtr situated in S.No.71/5A2B (Old S.No.71/5A2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24546 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-9 / 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 63 Sq. mtr situated in S.No.85/11B (Old S.No.85/11), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.



Prayer in WP No.24548 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-10 / 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 700 Sq. mtr situated in S.No.13/1B2 (Old S.No.13/1B), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24549 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-11 / 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 48 Sq. mtr situated in S.No.98/4C3B (Old S.No.98/4C3), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24550 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-12/ 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 100 Sq. mtr situated in S.No.102/23B (Old S.No.102/23), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24551 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-13/ 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 51 Sq. mtr situated in S.No.98/4C2B (Old S.No.98/4C2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24552 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-14/ 2019 / F2/ Arbitration dated 21.1.2020 for



petitioners lands measuring an extent of 1900 Sq. mtr situated in S.No.76/1B (Old S.No.76/1), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

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Prayer in WP No.24554 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-15/ 2019 / F2/ Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 400 Sq. mtr situated in S.No.70/2B (Old S.No.70/2) Noombal Village Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24557 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-18 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 22 Sq. mtr situated in S.No.102/23B (Old S.No.102/23), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24558 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 21/ 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 107 Sq. mtr situated in S.No.85 / 9B (Old S.No.85 / 9), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24560 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 22 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 71 Sq. mtr situated in S.No.85 / 8A2 (Old S.No.85 / 8A), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.



Prayer in WP No.24561 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 23 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 50 Sq. mtr situated in S.No.76 / 4B (Old S.No.76 / 4), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24562 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-25 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 250 Sq. mtr situated in S.No.95 / 3B2 (Old S.No.95 / 3B), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24563 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635-26 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 100 Sq. mtr situated in S.No.104 / 2B (Old S.No.104 / 2B), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24565 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 27/ 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 197 Sq. mtr situated in S.No.95 / 3C2 (Old S.No.95 / 3), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24566 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 28/ 2019 / F2 / Arbitration dated 21.1.2020



for petitioners lands measuring an extent of 293 Sq. mtr situated in S.No.95 / 3D2 (Old S.No.95 / 3D), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

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Prayer in WP No.24568 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 29 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 450 Sq. mtr situated in S.No.86 / 1A2 (Old S.No.86 / 1A), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24569 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc. No. 5635 - 30 / 2019 / F2 / Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 1100 Sq. mtr situated in S.No.93 / 3A2 (Old S.No.93 / 3A), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honble Court.

Prayer in WP No.24572 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-31/ 2019/F2/Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 436 sq.mtr situated in S.No. 93/2A2 (Old S.No.93/2A), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24573 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-36/ 2019/F2/Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 190 sq.mtr situated in S.No. 70/2B1 (Old S.No.70/2B), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.



Prayer in WP No.24574 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-37/ 2019/F2/Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 200 sq.mtr situated in S.No. 86/7B(Old S.No.86/7), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24575 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-38/ 2019/F2/Arbitration dated 21.1.2020 for petitioners lands measuring an extent of 100 sq.mtr situated in S.No. 102/7B (Old S.No.102/7), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24576 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-40/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 87 sq.mtr situated in S.No. 98/9B, Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24577 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-41/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 90 sq.mtr situated in S.No. 96/6B (Old S.No.98/6), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24578 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-42/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 44 sq.mtr situated in



S.No. 98/7B (Old S.No.98/7), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24579 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-43/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 24 sq.mtr situated in S.No. 102/23A2 (Old S.No.102/23), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24580 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-44/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 42 sq.mtr situated in S.No. 98/8B (Old S.No.98/8), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24581 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-47/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 31 sq.mtr situated in S.No. 71/6A2 (Old S.No.71/6), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24583 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-48/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 33 sq.mtr situated in S.No. 95/2A2 (Old S.No.95/2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24585 of 2021:

Writ Petition is filed under Article 226 of the



constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-52/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 107 sq.mtr situated in S.No. 70/2A2 (Old S.No.70/2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24586 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-54/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 93 sq.mtr situated in S.No. 70/2A2 (Old S.No.70/2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24587 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-55/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 852 sq.mtr situated in S.No. 76/1A2 (Old S.No.76/1A2), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24589 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-57/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 210 sq.mtr situated in S.No. 93/3A1B (Old S.No.93/3A), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24590 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-58/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 1268 sq.mtr situated in S.No. 104/2A (Old S.No.104/2A2), Noombal Village, Poonamallee



Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24591 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-59/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 29 sq.mtr situated in S.No. 95/3D1B (Old S.No.95/3), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

Prayer in WP No.24592 of 2021:

Writ Petition is filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pay the petitioner the enhanced compensation as per the proceedings of the 1st respondent made in Rc.No. 5635-60/ 2019/F2/Arbitration dated 22.1.2020 for petitioners lands measuring an extent of 46 sq.mtr situated in S.No. 95/3C1B (Old S.No.95/3), Noombal Village, Poonamallee Taluk and Thiruvallur District within a time frame as fixed by this Honourable Court.

For Petitioners
in all WP.'s : M/s.MF.Shabana

For Respondents
in all WP.'s
For R1&2 : Mr.Yogesh Kannadasan,
Special Government Pleader
For R3 : Mr.Su.Srinivasan

COMMON ORDER

The writ petitions are filed to issue a Writ of Mandamus directing the second respondent to pay the petitioners the enhanced compensation as per the respective proceedings of the first respondent for petitioners' lands in Noombal Village, Poonamallee Taluk and Thiruvallur District.

2. The Competent Authority-cum-Special District Revenue Officer, National Highways i.e., the second respondent herein passed awards and determined the value for the respective petitioners' lands under Section 3G(2) of the National Highways Act, 1956 and also awarded compensation for structural value. On several grounds, all the petitioners have filed Arbitration



Petition before the Arbitrator/District Collector, Tiruvallur, to enhance the award amount passed by the second respondent. The Arbitrator/District Collector, Tiruvallur passed Arbitration awards, thereby enhanced the compensation to Rs.800/- per sq.ft i.e., Rs.8,608/- per sq.mt with an interest at the rate of 9% per annum to be paid for excess amount determined in this order from the date of taking possession viz. under Section 3D(1) of the National Highways Act 1956, till the date of actual deposit. On various dates, the award has been passed and enhanced the compensation. Though all the petitioners approached the respondents for disbursement of compensation but of no avail. Therefore, all the petitioners sent their representation as per the Arbitration Award passed by the Arbitrator/District Collector but of no avail. Hence, they approached this Court for mandamus directing the respondents to grant enhanced compensation amount in respect of their respective properties which were acquired for laying by-pass road for National Highways 205.

3. The very same issues involved in these writ petitions have already been dealt with by this Court in WP.No.14766 of 2021, etc. batch dated 16.11.2021, wherein this Court held as follows:

12. For maintainability of the present writ petitions under Article 226 of the Constitution of India to enforce the Arbitral Award, it is relevant to extract the provision under Section 36 of the Arbitration and Conciliation Act 1996, hereunder ;

" 36. Enforcement : (1) Where the time for making an application to set aside the arbitral award under Section 34 has expired, or such application having been made, it has been refused, the award shall be enforced under the Code of Civil Procedure, 1908 (5 of 1908) in the same manner as if it were a decree of the Court.

(2) Where an application to set aside the arbitral award has been filed in the Court under Section 34, the filing of such an application shall not by itself render that award unenforceable, unless the Court grants an order of stay of the operation of the said arbitral award in accordance with the provisions of sub-section (3), on a separate application made for that purpose.

(3) Upon filing of an application under sub-section (2) for stay of the operation of the arbitral award, the Court may, subject to such conditions as it may deem fit, grant stay of the operation of such award for reasons to be recorded in writing ;

Provided that the Court shall, while considering the application for grant of stay in the case of an



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arbitral award for payment of money, have due regard to the provisions for grant of stay of a money decree under the provisions of the Code of Civil Procedure, 1908 (5 of 1908)"

13. Accordingly, the Arbitral Award shall be enforced in accordance with the provisions of Civil Procedure Code in the same manner as if it were the decree of the Court. Further, mere filing an application to set aside the Arbitral Award under Section 34 shall not by its render that an order unenforceable, unless the Court grants an order of stay of the operation of the said Arbitral Award. The Hon'ble Supreme Court of India in the case of Bhaven Construction through Authorised Signatory Premjibhai K.Shah Vs. Executive Engineer Sardar Sarovar Narmada Nigam Ltd. & Anr. in Civil Appeal No.14665 of 2015 dated 06.01.2021, held that the Arbitration Act is a code in itself. This phrase is not merely perfunctory, but has definite legal consequences. One such consequence is spelled out under Section 5 of the Arbitration Act, which reads as "Notwithstanding anything contained in any other law for the time being in force, in matter governed by this Part, no judicial authority shall intervene except where so provided in this Part". The non-obstante clause is provided to uphold the intention of the legislature as provided in the Preamble to adopt UNCITRAL Model Law and Rules, to reduce excessive judicial interference which is not contemplated under the Arbitration Act. Further held that if the Courts are allowed to interfere with the arbitral process beyond the ambit of the enactment, then the efficiency of the process will be diminished. Thus, it is clear that the writ petitions are not maintainable to enforce the Arbitral Award when there is a specific alternative remedy provided under Section 36 of the Arbitration and Conciliation Act, 1996.

14. Insofar as the deposit of enhanced award amount is concerned, it is relevant to extract the provision under Section 3H(5) and (6) of the National Highways Act, 1956, which is as follows ;

"(5) Where the amount determined under section 3G by the arbitrator is in excess of the amount determined by the competent authority, the arbitrator may award interest at nine percent per annum on such excess amount from the date of taking possession under section 3D till the date of the actual deposit thereof.

(6) Where the amount determined by the arbitrator is in excess of the amount determined by the competent authority, the excess amount together with interest, if



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any, awarded under sub-section (5) shall be deposited by the Central Government in such manner as may be laid down by rules made in this behalf by that Government, with the competent authority and the provisions of sub-sections (2) to (4) shall apply to such deposit. "

15. Accordingly, the enhanced amount with interest, if any, shall be deposited by the respondents with the competent authority. In all the writ petitions, after passing an award and determining the compensation, the respondents have paid the compensation to the respective land owners. The Arbitral Award passed by the Arbitration/District Collector, Tiruvallur, enhanced the compensation amount has not been deposited so far and no records were produced to prove the same. As per the provision, the amount determined by the authority shall be deposited with competent authority before taking possession of the land. Accordingly, the petitioners were paid compensation as determined under Section 3G of the National Highways Act. However, aggrieved by the same, the petitioners filed application before the Arbitrator for enhancement of the award and accordingly, the compensation award has been enhanced by the Arbitrator.

4. Accordingly, all the writ petitions are disposed of with the following directions:

(1) The respondents are directed to deposit the enhanced compensation amount as per the Arbitral Award together with interest at the rate of 9% per annum from the date of taking possession under Section 3D of the National Highways Act, 1956, with the competent authority within a period of one week from the date of receipt of a copy of this order.

(2) If the respondents failed to obtain any interim order against the arbitral award in the Arbitration Original Petition on the file of the Principal District Court, Tiruvallur within a period of four weeks from the date of receipt of a copy of this order, the competent authority is directed to disburse the compensation amounts which were deposited by the respondents forthwith.

There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar



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To

1.The Arbitrator & District Collector,
Thiruvallur District.

2.The Special District Revenue Officer(LA),
NH 205, No.3 & 4, Lal Bagadthur Sasthiri Street,
Periyakuppam Railway Street,
Near Thulasi Theatre, Thiruvallur-602 001.

3.The Project Director,
National Highways Authority of India,
Project Implementation Unit - Chennai,
"SRI TOWER", 3rd Floor, DP-34(SP),
Industrial Estate, Guindy,
Chennai-32.

+1cc to M/s. Shabana, Advocate SR. No.59220

+1cc to the Government Pleader SR. No.59805

WP.Nos.24542, 24544 to 24546, 24548 to 24552, 24554,
24557, 24558, 24560 to 24563, 24565, 24566, 24568,
24569, 24572 to 24581, 24583, 24585 to 24587 &
24589 to 24592 of 2021

CP (CO)

PR (14/12/2021)