



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
W.P. (MD) .No.8150 of 2021

K.Bharathi Priyadharshini

...Petitioner

Vs.

1.The District Collector
District Collectorate
Madurai.

2.The Special District Revenue Officer (LA-NH)
NH-744A National Highways of India,
Baskar Complex, Ramamoorthy Road,
Chinna Chokkikulam, Maduari.

3.The Project Director,
NH-744 National Highways Authority of India,
307 Melur Main Road
Madurai.

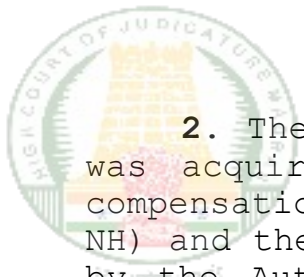
... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the application sent under Section 3G (5) of the National Highways Act, 1953 dated 15.02.2021 and to complete the enquiry in relation to the enhancement of compensation for the land acquired in Award No.05/2019 on the file of the 2nd respondent for the Survey No.38/4 to the extent of 1880 sq. mtr. For the purpose of NH-744A situated in Tamaraipatti II-Bit Village at Madurai East Taluk, Madurai District within a stipulated time fixed by this Court.

For Petitioner	: Mr.C.Masilamani
For R-1 & R-2	: Mr.B.Bhagavathy Additional Government Pleader
For R-3	: Mr.Arulvadivel @ Sekar

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to dispose of the arbitration proceedings initiated by the petitioner under Section 3 G (5) of the National Highways Act, 1956, within the time limit to be fixed by this Court.



2. The petitioner was the owner of the subject property, which was acquired by the National Highways Authority of India. The compensation was fixed by the Special District Revenue Officer (LA-NH) and the petitioner was not satisfied with the compensation fixed by the Authority. Hence, the petitioner exercised his statutory right of initiating arbitration proceedings before the first respondent.

3. The grievance of the petitioner is that the proceedings have not progressed and it is being kept pending by the first respondent. Aggrieved by the same, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.C.Masilamani, learned counsel for the petitioner, Mr.B.Bhagavathy, learned Government Advocate appearing for the first and second respondents and Mr.Arul Vadivel @ Sekar, learned counsel appearing for the third respondent.

5. 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 first respondent to complete the proceedings and pass the award within a period of two (2) months from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

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Madurai.

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307 Melur Main Road
Madurai.

+1 CC to M/s.C.ARUL VADIVEL @ SEKAR, Advocate (SR-17304[F] dated
23/04/2021)

Order made in
W.P. (MD) .No.8150 of 2021
Dated:21.04.2021

RR

RM(05.05.2021) 3P 5C