



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2021

CORAM:

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14119 of 2021

C.Kathirvel

... Petitioner

versus

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
Dindigul District,
Dindigul.
- 3.The Authorised Officer &
Special District Revenue Officer,
(Land Acquisition) NH-785E,
Madurai-20.
- 4.The Project Director,
NH-785E,
K.K.Nagar,
Madurai-20.
- 5.The Tahsildar,
(Land Acquisition)
Natham Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the 1st respondent to dispose the appeal filed before the 1st respondent dated 10.02.2021 for enhancement of award amount for the lands acquired by the above respondents situated in S.No.572/2A (0.56.5 Acres, 3464 Sq.m) at Nadumandallam Village, Natham Taluk, Dindigul District for the Natham to Thuvarangurichi four ways project within a time frame as stipulated by this Court.

For Petitioner : Mr.Sarvagan Prabhu
For Respondents : Mr.R.Baskaran
Counse for State for RR1 to 3 & 5
Mr.Arulvadivel @ Sekar for R4

O R D E R

The petitioner seeks the expeditious disposal of an application (wrongly described as an appeal) filed by him for enhancement of

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compensation before the first respondent.

2.The petitioner states that the land bearing Survey No.572/2A at Nadumandallam Village, Natham Taluk, Dindigul District, was acquired in terms of the National Highways Act. Pursuant to such acquisition, by award dated 22.01.2020, the compensation was fixed at a sum of Rs.51,51,631/-. Aggrieved by the quantum of compensation, the petitioner and his siblings filed an appeal before the first respondent herein on 10.02.2021. The petitioner seeks expeditious disposal of such proceedings.

3.Mr.Arul Vadivel @ Sekar, learned Standing Counsel, accepts notice on behalf of the fourth respondent and Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of the respondents 1 to 3 and 4.

4.Mr.Arul Vadivel @ Sekar, learned Standing Counsel, submits that the petitioner's application is required to be considered and disposed of within the time limit prescribed in the Arbitration and Conciliation Act 1996. In specific, he states that a time limit of six months has been prescribed for the completion of pleadings and a time limit of one year for the conclusion of proceedings, such time limit being computed from the date of completion of pleadings. Therefore, he submits that the statutory mandate as regards time limits would have to be adhered by the first respondent.

5.In view of the fact that the Arbitration and Conciliation Act 1996, prescribes time limits for the conclusion of proceedings, it is not appropriate to fix shorter time limits for the disposal of the petitioner's application. Needless to say, the time limits contained in the statute would have to be adhered by the first respondent unless such time limits are extended in accordance with law.

6. Subject to the above observations, W.P.(MD).No.14119 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P & A)

// 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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+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-26211[F] dated
13/08/2021)

+1 CC to M/s.Special Government Pleader (SR-26238[F] dated
13/08/2021)

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