



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).Nos.16452, 16453, 16454 and 16455 of 2021

WP(MS).No.16452 to 16454 of 2021

S. Gandhi @ Muthukamatchi ... Petitioner in all petitions

Vs.

1.The District Collector/Arbitrator,
Madurai.

2.The District Revenue Officer (LAO),
Madurai Natham Four Laning and
Widening of NH 785,
National Highways,
Collector's Office, Madurai.

3.The Deputy General Manager(T) and
Project Director,
Madurai-Natham Four Laning and Widening
of NH 785,
National Highways Authority of India,
Madurai.

...Respondents in all petitions

WP(MD).No.16455 of 2021

1. P.Pragalathan. ... Petitioner

- Vs. -

1. The District Collector/arbitrator,
Madurai.

2. The Special District Revenue Officer (Lao),
Madurai Ring Road under Bharatmala
Pariyojaja Scheme
NH 744- A, National Highways,
Madurai



3. The Deputy General Manager(T) &
Project Manager
Bharatmala
Pariyojaja Scheme
NH 744- A, National Highways,
Madurai

... Respondent

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to dispose the petitioner's arbitration proceedings in Appeal Nos.30/MNT Chathirathondamanpatti /2019,31 /MNT /Chathirathondamanpatti/2019,32/MNT/Chathirathondamanpatti / 2019 ,19/VPT/Kondayampatti/2020. respectively, filed under section 3G(5) of the National Highways Act within a time frame fixed by this Court.

For Petitioner : Mr.M.P.Senthil
(in all petitions)

For Respondents : Mr.Selvaganesan
(in all petitions)

Counsel for State (for R1 and R2)
Mr.Arul Vadivel @ Sekar (for R3)

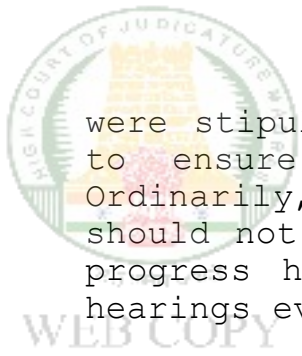
COMMON ORDER

The petitioner seeks the expeditious disposal of arbitration proceedings filed under Section 3G(5) of the National Highways Act.

2.The petitioner states that he is the owner of properties which were acquired pursuant to proceedings initiated under the National Highways Act 1956. Since the petitioner was dissatisfied with the compensation, the petitioner initiated proceedings in terms of Section 3G(5) of the aforesaid enactment. As the designated arbitrator, the first respondent took up the matter. Although such proceedings were initiated in the year 2019, the petitioner states that such proceedings have not been concluded till date.

3. Mr.Selva Ganesan, learned Counsel for the State, accepts notice on behalf of the first and second respondents and Mr.Arul Vadivel @ Sekar, learned Standing Counsel, accepts notice on behalf of the third respondent.

4. The Arbitration and Conciliation Act 1996 fixes time limits for the disposal of arbitral proceedings. The time limit of six months has been stipulated for the completion of pleadings and a further time limit of one year for the conclusion of proceedings, which is to be computed from the date of completion of pleadings. In the case at hand, the petitioner states that the proceedings are being delayed without justification. Needless to say, time limits



were stipulated in the Arbitration and Conciliation Act 1996 so as to ensure that such proceedings are concluded expeditiously. Ordinarily, if statutory time limits are fixed, such time limits should not be altered. However, in these cases, it appears that no progress has been made in the arbitral proceedings by scheduling hearings even for completion of pleadings.

5. Therefore, W.P.(MD).Nos.16452, 16453, 16454 and 16455 of 2021 are disposed of by directing the first respondent to dispose of the proceedings in Appeal Nos. 30/MNT/ Chathirathondamanpatti /2019, 31/MNT/ Chathirathondamanpatti /2019, 32/MNT/ Chathirathondamanpatti /2019 and 19/VPT/Kondayampatti/2020, within a period of six months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (CSIII)

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/ /2021

Sub Assistant Registrar(CS)

sjj/sn

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

- 1.The District Collector/Arbitrator,
Madurai.
- 2.The District Revenue Officer (LAO),
Madurai Natham Four Laning and
Widening of NH 785,
National Highways,
Collector's Office, Madurai.
- 3.The Deputy General Manager(T) &
Project Manager
Bharatmala
Pariyojaja Scheme
NH 744- A, National Highways,
Madurai



WP(MD).Nos.16452,16453,16454&16455 of 2021

+1 CC to M/s.SPL. GP (SR-29350[F] dated 16/09/2021)

+4 CC to M/s.M.P.SENTHIL, Advocate (SR-29253[F],29254,29255,29256
dated 16/09/2021)

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PS (CO)
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