



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.18242 of 2021

P.Arivalakan

... Petitioner

Vs.

1.The District Collector/Appellate
Authority and Arbitrator Land
Acquisition National Highways
Dindigul District.

2.The Authorized Officer/
District Revenue Officer,
(Land Acquisition National Highways)
Dindigul.

...Respondents

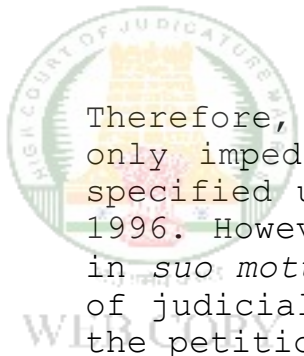
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the first respondent in Na.Ka.No.108/2019 dated 27.04.2021 and quash the same and fix an enhanced compensation for the land measuring an extent of 7800 square meter acquired in Survey No.570 of Oddanchatram Village, Oddanchatram Taluk, Dindigul District by the second respondent through the notifications dated 30.03.2012 and 24.05.2013 an extent of 7800 square meter.

For Petitioner	: Mr.S.R.Sureshkumar
For Respondents	: Mr.P.Subbaraj
	Counsel for State

ORDER

The petitioner assails an award of the first respondent in proceedings instituted under Section 3G (5) of the National Highways Act, 1956. By such petition, a request for enhanced compensation was made. The petitioner challenges such award on the ground that the award does not contain reasons.

2.A statutory remedy is provided under Section 34 of the Arbitration and Conciliation Act, 1996, in respect of an award passed under Section 3G of the National Highways Act, 1956.



Therefore, the petitioner should avail of the statutory remedy. The only impediment in such regard would be the period of limitation specified under Section 34 of the Arbitration and Conciliation Act, 1996. However, the Hon'ble Supreme Court of India has issued orders in *suo motu* proceedings whereby the period of limitation in respect of judicial and quasi judicial proceedings was extended. Therefore, the petitioner may be entitled to the benefit of the said order.

3. Subject to the above observations, W.P(MD).No.18242 of 2021 is disposed of without any order as to costs by leaving it open to the petitioner to avail of the statutory remedy under Section 34 of the Arbitration and Conciliation Act, 1996, by also relying upon orders passed by the Hon'ble Supreme Court in the *suo motu* proceedings relating to the extension of the period of limitation.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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/Appellate
Authority and Arbitrator Land
Acquisition National Highways
Dindigul District.

2.The Authorized Officer/
District Revenue Officer,
(Land Acquisition National Highways)
Dindigul.

+1 CC to M/s.SPL.GP (SR-31971[F] dated 11/10/2021)

W.P (MD) .No.18242 of 2021
08.10.2021

MGJ(25.10.2021) 2P 4C