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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.28349 of 2021

N.Beulah John Selvaraj

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by the Secretary to Government,
National Highway Department,
Secretariat, Fort St. George
Chennai 600 009.

2.The District Collector,
Kanchipuram, Kanchipuram District,
Tamil Nadu 631 501.

3.The Competent Authority cum District Revenue Officer
(Land Acquisition),
National Highways for Bangalore to Chennai expressway,
Kanchipuram,
Kanchipuram District. ...Respondents

Prayer :- Writ Petition filed under Article 226 of the
Constitution of India praying for the issuance of a Writ of
Mandamus, directing the second respondent to arbitrate on the
award, vide Proceeding Rc.04/2015/BCE/ Unit-III dated
06.05.2019 on the file of the third respondent 2019.

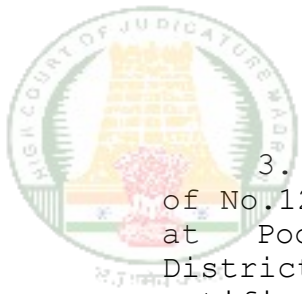
For Petitioner : M/s.J.Jenny

For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

This writ petition has been filed for the
issuance of Writ of Mandamus, directing the second respondent
to arbitrate on the award, vide Proceeding Rc.04/2015/BCE/
Unit-III dated 06.05.2019 on the file of the third respondent
2019.

2. Heard Mr.J.Jenny, learned counsel appearing for the
petitioner and Mr.C.Kathiravan, learned Special Government
Pleader, appearing for the respondents.



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3. The petitioner owned land comprised in Survey No. 57 of No.121 and Survey No.57 part in Plot No.41 and 43, situated at Podavur village, Sriperambudur Taluk, Kancheepuram District. While being so, the Government of India published a notification proclaiming Land Acquisition - National Highways - (Bangalore - Chennai Expressway) and the subject lands were sought to be acquired. After acquisition, the third respondent had passed an Award on 06.05.2019 and the entire award amount has been deposited in the petitioner's account. However, aggrieved by the same, the petitioner sought for enhancement of award amount on various grounds by way of representation dated 04.03.2020 and 03.06.2020. However, it was not considered and pending on the file of the second respondent.

4. Considering the above, the second respondent is directed to dispose of the same on merits and in accordance with law, after giving an opportunity of hearing to the petitioner, and counter parties if any, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mn/sha

To

- 1.The Secretary to Government,
The State of Tamil Nadu,
National Highway Department,
Secretariat, Fort St. George, Chennai 600 009.
- 2.The District Collector,
Kanchipuram, Kanchipuram District, Tamil Nadu 631 501.
- 3.The Competent Authority cum District Revenue Officer
(Land Acquisition),
National Highways for Bangalore to Chennai expressway,
Kanchipuram, Kanchipuram District.

+1cc to M/s.J.Jenny, Advocate SR. No. 744
+1cc to Government Pleader SR. No.1249

W.P.No.28349 of 2021