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W.P.No.30122 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.30122 of 2022

Mr. Vadivel Reddy

...Petitioner

Vs.

1.The Arbitration and District Collector,
Thiruvallur District.

2. The project Director,
National Highways Authority of India,
Project Implementation Unit- Chennai,
“ Sri Tower”, 3rd Floor – DP-34(SP),
Chennai – 600 032.

3. The Special District Revenue Officer (LA),
NH 205, No. 3 and 4, Lal Bagadthur Sasthiri Street,
Periyakuppam Railway Street, Near Thulasi Theatre,
Thiruvallur- 602 001.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to pay the petitioner the enhanced compensation as per the proceedings of the first respondent made in the Rc.No.6512/2017/F2/Arbitration dated 31.08.2020 for the petitioner's land measuring to an extent of 295 Sq.Mtr situated in S.No.238/12A2, Nedumbaram Village, Tiruttani Taluk, Thiruvallur District within a time frame as fixed by this Court.



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For Petitioner : Mr. P. Saravanan
For Respondents : Mr.B. Vijay
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent to pay the petitioner the enhanced compensation as per the proceedings of the first respondent made in the Rc.No.6512/2017/F2/Arbitration dated 31.08.2020 for the petitioner's land measuring to an extent of 295 Sq.Mtr situated in S.No.238/12A2, Nedumbaram Village, Tiruttani Taluk, Thiruvallur District.

2. The learned Special Government Pleader takes notice for the official respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the subject land was acquired by the Government for which the award dated 24.11.2011 was passed in Award in Award No.13 of 2011 by the third respondent. Not satisfied with the award amount the petitioner initiated arbitration proceedings to enhance the



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compensation amount Thereafter, the first respondent vide proceedings

Re.No.6512/2017/F2/Arbitration dated 31.08.2020 enhanced the compensation amount along with the interest of 9% per annum to be paid for the excess amount determined from the date of taking possession under 3D(1) of the National Highways Act, 1956. However till date the same amount has not been deposited in favour of the petitioner. Hence this petition.

4. The learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the third respondent to pay the enhanced compensation as per the proceedings of the first respondent made in Rc.No.6512/2017/F2/Arbitration dated 31.08.2020 within a time limit as fixed by this Court.

5. The learned Special Government Pleader as well as the learned standing counsel appearing for the respondents have no objection for the said order being passed.

6. In view of the limited relief sought for by the petitioner, this Court



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without expressing any opinion on the merits of the case, issues a direction to the third respondent to pay the petitioner, the enhanced compensation as per the proceedings of the first respondent made in Rc.No.6512/2017/F2/Arbitration dated 31.08.2020 for the petitioner's land within a period of six weeks from the date of receipt of a copy of this order, if there is no legal impediment.

7. Accordingly, this writ petition is disposed of. No costs.

11.11.2022

Speaking Order : Yes/ No
Index : Yes/ No

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To

1. The Arbitration and District Collector,
Thiruvallur District.
2. The project Director,
National Highways Authority of India,
Project Implementation Unit- Chennai,
“ Sri Tower”, 3rd Floor – DP-34(ST),
Chennai – 600 032.
3. The Special District Revenue Officer (LA),

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M.DHANDAPANI,J.

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