



W.P.No.8639 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8639 of 2023

P.Valliyammal

...Petitioner

Vs

1.The District Collector cum Arbitrator,
Salem District.

2.The Special District Revenue Officer
[Land Acquisition],
The Competent Authority Land Acquisition,
National Highways – 68, Room No.414,
4th Floor, Collector Office Building,
Salem – 636 001.

3.The Project Officer,
National Highways Authority of India – 68,
Salem.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose the arbitration case No.221/2012 by considering petitioner representation dated 11.08.2022 within a time frame.



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For Petitioner : Mr.K.Sudhakar
For R1 & R2 : Mr.V.Veluchamy
Additional Government Pleader
For R3 : Mr.Su.Srinivasan

ORDER

With the consent of both the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The limited prayer sought for in this Writ Petition is for a direction to the first respondent herein to dispose of the arbitration petition No.221/2012 preferred by the petitioner within a stipulated time.

3. It is needless to point out that whenever a statutory appeal is preferred before the concerned Authority, there is a duty cast on them to dispose of the same expeditiously. Non-compliance of such a responsibility would amount to dereliction of duties and this Court would be justified in directing the authority to dispose of the appeal within a stipulated time, in exercise of its powers under Article 226 of Constitution of India.



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4. In the light of the above observations, there shall be a direction to the first respondent herein to dispose of the petitioner's arbitration appeal petition No.221/2012, if not already disposed of, after giving due opportunity to the petitioner, as well as all the other persons who may be interested in the subject property, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

20.03.2023

Index: Yes/No

Speaking order/Non-speaking order

hvk



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M.S.RAMESH,J.

hvk

To

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