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W.P.No.7672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7672 of 2023

1.V. Raji

2.V. Nandakumar

3.V. Vinayagam

... Petitioners

Vs.

1.National Highways Authority of India,
Rep. by its Project Director,
In Charge of NH4,
No.D P 34, Sri Towers, South Phase,
3rd Floor, Guindy,
Chennai – 600 032,
Near Olympia Industrial Estate.

2.The District Collector, Thiruvallur,
District Collector Office,
Master Plan Complex NH-205,
First Floor, Collectorate,
Thiruvallur District – 602 001.

3.The Competent Authority &
Special District Revenue Officer (Land Acquisition),
Having office at Collectorate Office,
Master Plan Complex NH 205,
Chennai – Tiruttani Highway,
Thiruvallur, Chennai – 602 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of



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India, praying to issue a Writ of Mandamus, directing the 2nd respondent to dispose of the petitioners' application dated 05.12.2022 sent by registered post and same was delivered on 08.12.2022 for enhance compensation under Section 3G(5) of the National Highways Act, 1956, as amended within time frame.

For Petitioners : Mr.David Tyagaraj

For Respondents : M/s.S.R. Sumathy [R1]
Mr.P. Sathish, [R2 & R3]
Additional Government Pleader

ORDER

M/s.S.R. Sumathy, learned counsel, takes notice for the first respondent and Mr.P. Sathish, learned Additional Government Pleader, takes notice for the second and third respondents. With the consent of both 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 second respondent herein, to dispose of the application preferred by the petitioners dated 05.12.2022, within a stipulated time.

3. It is needless to point out that whenever an arbitration petition



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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 said petition within a stipulated time, in exercise of its powers under Article 226 of Constitution of India.

4. In the light of the above observations, there shall be a direction to the second respondent herein, to dispose of the petitioners' arbitration petition dated 05.12.2022, if not already disposed of, after giving opportunity to the petitioners, as well as any other person who may be interested in the subject property, on its own merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands ordered. No costs.

14.03.2023

Speaking/Non-speaking Order
Index: Yes/No

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M.S.RAMESH, J.

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To

1. Project Director,
In Charge of NH4,
National Highways Authority of India,
No.D P 34, Sri Towers, South Phase,
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Near Olympia Industrial Estate.
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