



W.P.No.13705 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13705 of 2023

Professor Dr.M.Thambidorai,
S/o. K.Muthusamy Gounder,
Advocate and Notary - Government of India,
Commissioner of Oaths,
Government of Tamil Nadu,
No.3/5, Chekkanthoppu,
Neikkarapatty Post,
Salem - 636 010,
Salem District.

... Petitioner

Vs.

1. The Sole Arbitrator-cum-District Collector,
NH 47 (New No.544),
Office of the Salem Collector,
Salem - 636 001.

2. The Special District Revenue Officer (Land Acquisition),
NH-4 (New No.544),
Krishnagiri - 635 115.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent take Arb.No.617 of 2009 dated 24.10.2009 and hear the case and dispose of the same on its merits.

For Petitioner : Mr.Avinash Nadhwani
For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

O R D E R

This Writ Petition has been filed for a direction to the first respondent to take up Arbitration Petition No.617 of 2009 and dispose of the same on its merits.

2. The case of the petitioner is that the petitioner's land has been acquired for laying of the highways under the National Highways Act, 1956, for which, the petitioner was required to attend an arbitration enquiry on 27.04.2018 vide Arbitration Petition No.617 of 2009 dated 13.04.2018. The grievance of the petitioner is that the other survey numbers with trees are incompletely prepared by excluding the actual land and trees acquired vide



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order dated 23.02.2009 passed by the Special Tahsildar, NH-47 and hence, he submitted a letter to the arbitrator requesting to correct the same. Since the same has not been considered, the present Writ Petition has been filed.

3. Though very many grounds have been raised in the present Writ Petition, it would suffice, if this Court may issues a direction to the respondents to dispose the Arbitration Petition No.617 of 2009 and pass appropriate orders, within a time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.



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6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to dispose of the Arbitration Petition No.617 of 2009 dated 13.04.2018 by taking note of request made by the petitioner in his letter dated 27.04.2018 and pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

01.06.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To

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