



WEB COPY



W.P.Nos.17310, 17337, 17336, 17340, 17341, 17313 & 17317 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.17310, 17337, 17336, 17340, 17341, 17313 & 17317 of 2023

[W.P.No.17310 of 2023]

Krishnappa.C

... Petitioner

Vs.

1. The Authorised Officer and
The Special District Revenue Officer,
Land Acquisition,
National Highway No.7,46,47,66 and 844
Salem- Krishnagiri districts, at Krishnagiri.

2. The District Collector,
Collectorate, Krishnagiri- 635 001.

3. Project Director
National Highways Authority,
Krishnagiri.

4. National Highways Authority of India,
G 5 and 6, Sector 10, Dwarka, New Delhi.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st Respondent to consider the representation dated 28.09.2022 and consequently refer the matter to the 2nd Respondent Arbitrator to commence and complete the



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Arbitral proceedings on the claim statement of the petitioner and thereby to enhance the compensation.

For Petitioners
in all W.Ps. : Mr.K.Kulandai Velu

For Respondents
in all W.Ps. :
(for R1 & R2) : Mr.D.Ravichander,
Special Government Pleader
(for R3 & R4) : Mr.SU.Srinivasan

COMMON ORDER

The relief sought in the present writ petitions are to direct the first respondent to consider the representations and consequently, refer the matter to the second respondent Arbitrator to commence and complete the Arbitral proceedings on the claim statement of the petitioners.

2. It is not in dispute that the land belonging to the petitioners were acquired for public purposes for road expansion projects by the National Highways Authorities. The award was passed. The amount of compensation determined have already been received by the petitioners. In protest, the petitioners have submitted an application seeking enhancement of compensation.



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3. The grievances of the writ petitioners are that the applications submitted for enhancement before the Arbitrator is yet to be considered. One year lapsed and the process of acquisition was completed. Thus, a direction is to be issued to conduct an inquiry and dispose of the applications submitted by the petitioners seeking enhancement of compensation.

4. The learned counsel appearing on behalf of the respondents 3 and 4 have no serious objection. The first respondent / Land Acquisition Officer has completed his acquisition proceedings and now the matter is to be referred to the District Collector for the purpose of considering the applications submitted by the petitioner. Thus, the second respondent is directed to consider the applications submitted by the writ petitioners seeking enhancement of compensation under the provisions of the National Highways Act and by providing opportunity to the parties to pass appropriate orders on merits and in accordance with the law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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5. With these observations, the writ petitions stand **disposed of**.

However, there shall be no order as to costs.

(sha)

24.07.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

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S.M.SUBRAMANIAM. J.,

(sha)

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24.07.2023