



W.P.No.370 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.370 of 2023

P.Velmurugan

.... Petitioner

-Vs-

- 1 The District Collector Cum Arbitrator
Dharmapuri District Dharmapuri
- 2 The Competent Authority And
Special District Reveue Officer , Dharmapuri
(land Acquisition For National Highways 844)
Hosur Salem Green Corridor Express Highway
Dharmapuri Colle
- 3 The Project Director
National Highways Authrity Of India (project
Implementation Unit) No. 259 / 1 Salem Main
Road Near Kakc Petrol Bunk Krishnagiri.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents considering the petitioners representation dated 16.08.2022 and to pay enhanced compensation of award amount and Additional market value in respect of petitioner property situated at No. 89, Jittandahalli village, Palacode taluk Dharmapuri District Comprised in Survey No. 373 / 1A Patta No 855 in an extent of 1818 sq.mtrs acquired for the purpose of widening four lane of National Highways No. 844.



WEB COPY



W.P.No.370 of 2023

For Petitioner : Mr.D.Ramesh Kumar
For Respondents : Mr.P.Sathish
Additional Government Pleader-for RR 1&2
Mr.Su.Srinivasan
Standing Counsel – for R3

ORDER

As against the award passed by the competent authority under the National Highways Act for the land acquired from the petitioner, the petitioner had filed an Arbitration Appeal within the meaning of Section 3(G)(5) before the first respondent on 03.12.2021. Since the said appeal has been pending for more than a year, in order to decide the same at the earliest, the petitioner has moved the present writ petition.

2. Heard Mr.D.Ramesh Kumar, learned counsel for the petitioner, Mr.P.Sathish, learned Additional Government Pleader appearing for respondents 1 and 2, and Mr.Su.Srinivasan learned Standing Counsel appearing for the 3rd respondent.

3. Learned Additional Government Pleader would submit that since the appeal has been pending for more than a year, it would be taken up and decided, after hearing both sides within a time frame that may be stipulated by this Court.

4. Considering the said submission made by the learned Additional



W.P.No.370 of 2023

Government Pleader appearing for the respondents 1 and 2 and taking note of the innocuous nature of the prayer sought for in the writ petition, this Court is inclined to dispose of this writ petition with the following order.

“There shall be a direction to the 1st respondent District Collector to decide the appeal filed by the petitioner dated 03.12.2021 after giving an opportunity of hearing to the petitioner as well the other stakeholders within a period of twelve weeks from the date of receipt of a copy of this order.”

5. With the above directions, this writ petition is disposed of. No costs.

06.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST

To

- 1 The District Collector Cum Arbitrator, Dharmapuri District Dharmapuri
- 2 The Competent Authority And Special District Reveue Officer ,
Dharmapuri (land Acquisition For National Highways 844)
Hosur Salem Green Corridor Express Highway, Dharmapuri Collectorate
Office, Dharmapuri.
- 3 The Project Director,National Highways Authrity Of India (Project
Implementation Unit) No. 259 / 1 Salem Main Road
Near Kakc Petrol Bunk Krishnagiri.



WEB COPY



W.P.No.370 of 2023

R. SURESH KUMAR, J.

KST

W.P.No. 370 of 2023

06.01.2023