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W.P.Nos.34767 of 2023 and etc. batch.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.12.2023

CORAM:

THE HON'BLE MR JUSTICE P. VELMURUGAN

W.P.Nos.34767, 34773, 34806, 34808 and 34809 of 2023

and

W.M.P.Nos.34743, 34811, 34813 and 34815 of 2023

- | | |
|----------------|--|
| 1.R.Goppalappa | ...Petitioner in W.P.No.34767 of 2023. |
| 2.T.Ramesh | ...Petitioner in W.P.No.34773 of 2023. |
| 3.G.Manjunath | ...Petitioner in W.P.No.34806 of 2023. |
| 4.Muniappa | ...Petitioner in W.P.No.34808 of 2023. |
| 5.M.Thayamma | ...Petitioner in W.P.No.34809 of 2023. |

Versus

- 1.The Arbitrator cum District Collector
Collectorate Office,
Krishnagiri District,
Krishnagiri.
- 2.Competent Authority and Special District,
Revenue Office (LA),
National Highways
948 A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur, Krishnagiri District.

...Respondents in all W.Ps.

Prayer in W.P.No.34767 of 2023: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim filed under Section 3G(5) of the National Highways Act, 1956 dated 25.03.2023 and reconsider the Award dated 06.01.2023 and to appoint a



W.P.Nos.34767 of 2023 and etc. batch.

competent engineers/officials for assessing and revalue the Thatched 30X30 feet, standing corps, vegetable plants, pvc pipes and trees and other structures in land measuring 375 sq.mtrs in S.No.26/2, New S.No.26/2B in Patta No.78 and land measuring 4862 in S.No.42/2B, New S.No.42/B2 covered in Patta No.67, and direct to give report copy to the petitioner following Section 29 (1) (2) (3) of the above said Act 2013 and to enhance the compensation for land together with structures amenities situated in the said land, Survey Nos. by following the procedure contemplated under Sections 26 to 30, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and Section 17 of the Arbitration & Conciliation Act, 1996.

Prayer in W.P.No.34773 of 2023: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim filed under Section 3G(5) of the National Highways Act, 1956 dated 25.03.2023 and reconsider the Award dated 12.01.2023 and to grant the petitioner herein adequate opportunity as contemplated under the Arbitration and Conciliation Act, 1996 by providing copies of the following (1) Defence statement of the 2nd respondent and reasonable time to file a reply statement (2) copies of las three years sale statistices in respect of locality and revenue village in which the petitioner's land is situated, obtained from the Registration Department, (3) copies of all records relied upon by the 2nd respondent for passing the award under Section 3G(1) of the National Highway Act, 1956, (4) strictly follow the provision of Sections 26 to 30 and procedure contemplated in First



W.P.Nos.34767 of 2023 and etc. batch.

schedule of the Central Act 30 of 2013 and grant opportunity to the petitioner for filing further written submission and thereafter pass final award under Section 3G (5) of the National Highways, Act ,1956 for determining and enhance the compensation for the land measuring 5978 Sq.mtrs., in S.No.134/1B, New Survey No.134/1B2 covered in Patta No.271, Karupalli Village, Hosur Taluk, Krishnagiri District within a time to be stipulated by this Court.

Prayer in W.P.No.34806 of 2023: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim filed under Section 3G(5) of the National Highways Act, 1956 dated 25.03.2023 and reconsider the Award dated 06.01.2023 and to appoint a competent engineers/officials for assessing and revalue open bore well measuring 1050 depth, pvc pipe lines, under ground 400 feet, standing corps, vegetable plants and trees and other structures in land measuring 3629 sq.mtrs, in S.No.42/3 and S.No.42/3B covered in Patta No.1174, and to enhance the compensation for land together with structures and amenities situated in the said land, S.Nos.by following the procedure contemplated under Sections 26 to 30 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and Section 17 of the Arbitration & Conciliation Act, 1996.

Prayer in W.P.No.34808 of 2023: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim filed under Section 3G(5) of the National Highways Act, 1956 dated



W.P.Nos.34767 of 2023 and etc. batch.

25.03.2023 and reconsider the Award dated 09.01.2023 and to appoint a competent engineers/officials for assessing and revalue the trees and other structures in land measuring 8417 sq.mtrs in S.No.134/3, New S.No.134/3 in Patta No.93 and to enhance the compensation for land together with structures and amenities situated in the said land, Survey Nos. by following the procedure contemplated under Sections 26 to 30, Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and Section 17 of the Arbitration & Conciliation Act, 1996.

Prayer in W.P.No.34809 of 2023: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim filed under Section 3G(5) of the National Highways Act, 1956 dated 25.03.2023 and reconsider the Award dated 02.01.2023 and to appoint a competent engineers/officials for assessing and revalue the trees and other structures and other amenities existing in my lands in land measuring 1078 sq.mtrs. In S.No.134/2D, New S.No.134/2D2, Karupalli Village, Hosur Taluk, Krishnagiri District and direct to give report copy to the petitioner following Section 29 (1) (2) (3) of the above said Act 2013 and to enhance the compensation for land together with the structures and amenities situated in the said land, Survey Nos. by following the procedure contemplated under the Sections 26 to 30 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and Section 17 of the Arbitration & Conciliation Act, 1996.



W.P.Nos.34767 of 2023 and etc. batch.

In all W.Ps.

For Petitioners : Mr.R.Ramesh Raja

For Respondents : Mr.R.Ramanlaal
Additional Advocate General
assisted by Mr.Yogesh Kannadasan
Special Government Pleader

COMMON ORDER

The petitioner(s) has filed this writ petition(s) seeking for writ of mandamus to consider his appeal for enhancement of compensation before the arbitrator/1st respondent. The said application was filed on 25.03.2023 so far the 1st respondent has not taken any action to dispose the application, therefore, has filed the present writ petition.

2. Mr.R.Ramanlaal, learned Additional Advocate General assisted by Mr.Yogesh Kannadasan, learned Special Government Pleader fairly admitted that the petition(s) is pending before the 1st respondent from 25.03.2023 and the 1st respondent is directed to issue notice to the petitioner(s) and also to the competent authority and other rival parties as the case may be and after giving notice to all the parties and after conducting an enquiry, in the manner known to law and dispose of the said application in accordance with law within a



W.P.Nos.34767 of 2023 and etc. batch.

period of two (2) months from the date of receipt of copy of this order.

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3. With the above, these writ petitions are disposed of accordingly. There shall be no order as to costs. Connected Miscellaneous Petitions are also closed.

18.12.2023

Index :Yes/No

Speaking :Yes/No

Neutral Citation Case:Yes/No

nst

To:

1.The Arbitrator cum District Collector
Collectorate Office,
Krishnagiri District,
Krishnagiri.

2.Competent Authority and Special District,
Revenue Office (LA),
National Highways
948 A, STRR,
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P. VELMURUGAN,J.

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