



W.P(MD)No.13748 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13748 of 2023

1.S.Karuppusamy

2.S.Chinnakaruppusamy

... Petitioners

Vs.

1.The District Collector

Office of the District Collector,
Dindigul - 624 004.

2.The Special District Revenue Officer (Land Acquisition),

Office of the Special District Revenue Officer
(Land Acquisition),

National Highways No.209,

M/s. National Highways Authority of India,

No.567, APJ Abdul Kalam Street,

Chennamanaikanpatty,

Dindigul.

3.The Project Director

National Highways No.209,

M/s. National Highways Authority of India,

No.567, APJ Abdul Kalam Street,

Chennamanaikanpatty,

Dindigul.



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4.The Special Tahsildar (Land Acquisition),
National Highways No.209,
Unit - III, Nethaji Nagar,
Palani,
Dindigul District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to enhance and fix fair compensation of the award amount for the land acquired by the 2nd respondent, comprising in Survey No.823/2A (Old Survey No.823/2) consisting 6853 square meter situated at Thalaiyuthu Village, Thalaiyuthu Post, Palani Taluk, Dindigul District, by taking into consideration of the market value of the lands situated in and around the areas by considering the petitioner's representation sent to the 1st respondent dated 13.04.2023.

For Petitioners : Mr.L.Prabhu

For Respondents : Mr.N.Muthu Vijayan - for R1, R2 & R4
Special Government Pleader
Mr.Su.Srinivasan - for R3



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ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction to the first respondent/ District Collector, Dindigul, to enhance the compensation already granted for the land acquired by the second respondent in Survey No.823/2A (Old Survey No.823/2) measuring 6853 square meter at Thalaiyuthu Village and Post, Palani Taluk, Dindigul District.

2. The petitioners had given necessary application which can be treated as application filed under Section 34 of the Arbitration and Conciliation Act, 1996, before the District Collector.

3. The District Collector will now have to call for the records and examine whether the award already granted needs to be interfered or not. This is an exercise to be conducted purely by the District Collector.



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4. A direction is given to the first respondent to proceed further in manner know to law on the petition given by the petitioners by treating the same as the application under Section 34 of the Arbitration and Conciliation Act, 1996, and pass necessary orders within a reasonable period of time, by following due process.

5. With the above directions, the Writ Petition stands disposed of. No costs.

13.06.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

RM



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C.V.KARTHIKEYAN, J.

RM

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(2/2)

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