



W.P.Nos.1233 and 1235 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.1233 and 1235 of 2024

M/s.Swami Feeds (P) Ltd.,
Rep.by its Managing Director,
P.Muthusamy.

... Petitioner
in both W.Ps

versus

- 1.The District Collector,
Krishnagiri District,
Krishnagiri.
- 2.The Competent Authority/
Special District Revenue Officer,
(Land Acquisition),
National Highways No.948-A, STRR,
Hosur, Krishnagiri District.

.....Respondents
in both W.Ps

Prayer in W.P.No.1233 of 2024

Writ Petition filed under Article 226 of Constitution of India, praying
to issue a Writ of Mandamus, directing the respondents to refer the Award

Pg.Nos.1/7



W.P.Nos.1233 and 1235 of 2024

in Na.Ka.No.868/2023/L3, dated 29.09.2023 to the first respondent/ Arbitrator for enhancement of the compensation amount in respect of the lands acquired measuring 44 sq.mts in S.F.No.1074/1C1, Bairamangalam Village, Tenkanikottai Taluk, Krishnagiri District by considering the petitioner's representation dated 29.10.2023 under Section 3 G (5) of the National Highways Act, 1956 r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013.

Prayer in W.P.No.1235 of 2024

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to refer the Award in Na.Ka.No.863/2023/L3 dated 29.09.2023 to the first respondent/ Arbitrator for enhancement of the compensation amount in respect of the lands acquired measuring 495 sq.mts in S.F.No.1074/1C2A, Bairamangalam Village, Tenkanikottai Taluk, Krishnagiri District by considering the petitioner's representation dated 29.10.2023 under Section 3 G (5) of the National Highways Act, 1956 r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013.

For Petitioner : Mr.N.Manokaran
in both W.Ps

Pg.Nos.2/7



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For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader
in both W.Ps

COMMON ORDER

Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for the respondents. With the consent of both the parties, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. These writ petitions have been filed seeking for issuance of a writ of mandamus, directing the second respondent herein to refer the Award in Na.Ka.No.868/2023/L3 and Na.Ka.No.863/2023/L3, dated 29.09.2023 to the first respondent/Arbitrator for enhancement of the compensation amount, by considering the petitioner's application/representation dated 29.10.2023, under Section 3 G (5) of the National Highways Act, 1956 r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013.

3. The learned counsel for the petitioner submitted that the lands



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measuring an extent of 44 sq.mts in S.F.No.1074/1C1 and an extent of 495 sq.mts in S.F.No.1074/1C2A, respectively situated at Bairamangalam Village, Tenkanikottai Taluk, Krishnagiri District, were acquired by the respondents for formation of NH No.948A STRR Road. Since the award passed by the competent authority was meager, the petitioner submitted an application/representation dated 29.10.2023 to the respondents seeking to refer the matter under Section 3G (5) of the National Highways Act, 1956 r/w Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act, 2013 to the first respondent for determination of the fair and just compensation for the extents acquired. Since no action was taken, the present writ petition.

4.The learned Additional Government Pleader appearing for the respondents submitted that the application/representation of the petitioner would be considered in accordance with law.



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5. Since this writ petition is filed for a simple mandamus to consider the application/representation of the petitioner and the District Collector is the Arbitrator to decide the fair compensation, this Court, without expressing any view or opinion with regard to the merits of the case, directs the first respondent/District Collector to consider the application/representation of the petitioner dated 29.10.2023 and decide the same on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner as well as interested parties if any, as the case may be, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petitions are disposed of. However, there shall be no order as to costs.

22.01.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

- 1.The District Collector,
Krishnagiri District,
Krishnagiri.
- 2.The Competent Authority/
Special District Revenue Officer,
(Land Acquisition),
National Highways No.948-A, STRR,
Hosur, Krishnagiri District.

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WEB COPY



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P.VELMURUGAN, J.

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