



W.P.Nos. 6299 and 6301 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos. 6299 and 6301 of 2024

and

W.M.P.Nos.7000, 7008 and 7003 of 2024

1.T.V.Siddappa

2.T.V.Murugesh

... Petitioners

in W.P.No.6299 of 2024

Radhamma

... Petitioner

in W.P.No.6301 of 2024

versus

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

2.Competent Authority and Special District
Revenue Office (LA),
National Highways 948A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur, Krishnagiri District.



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3. The Project Director (NH 948)

National Highways Authority of India,

PIU – Bangaluru,

Sy.No.13, 14th km Nagasandra Tumkur NH4 Road,

Bangaluru – 560 073.

... Respondents
in both W.Ps

Prayer in W.P.No.6299 of 2024 :-

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to act upon the petitioners' claim petition filed under Section 3G(5) of the National Highways Act, 1956, dated 25.6.2023 and 23.1.2024 and to reconsider the Award dated 15.3.2022 and 22.8.2023 passed by the 2nd respondent and direct the 1st respondent to appoint the competent engineer and to re-value the well, 2 houses, trees, 2 bore wells, pipe lines and rose plants and other structures consisting in land measuring 8055 Sq.mtrs, comprised in S.No.1033/1B, Moranapalli village, Hosur Taluk, Krishnagiri District as per Sec 29 of the above said (RFCTLARR Act 2013) and to give the valuation report to the petitioner and conduct the proper enquiry and enhance the compensation in respect of land and structures comprised in the above said survey No's in Moranapalli Village, Hosur Taluk, Krishnagiri District, by



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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 to follow Sections 18 to 27 of the Arbitration and Conciliation Act 1996.

Prayer in W.P.No.6301 of 2024 :-

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim petition filed under Section 3G(5) of the National Highways Act, 1956, dated 10.1.2024 and to reconsider the Award dated 16.8.2023 and to appoint the competent engineer and to re-value the round well measuring 30x40 feet, 60 feet depth with 30 feet karukal wall, flowers and vegetables plant and give the valuation report to the petitioner and enhance the compensation in respect of land measuring 100 sq.mts out of 200 sq.mts in S.No.105/C, Mudhukanapalli Village, Hosur Taluk, Krishnagiri District together with structures comprised in the above said survey nos in Mudhukanapalli Village, Hosur Taluk, Krishnagiri District and pay the compensation for the petitioner's future lose by following the procedure and Section 26 to 30 contemplated under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and



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Resettlement Act 2013 (Central Act 30 of 2013) and Sections 18 to 27 of the Arbitration and Conciliation Act 1996.

For Petitioners : Mr.R.Ramesh Raja
in both W.Ps

For Respondents : Mr.T.Arun Kumar
Special Government Pleader
for R1 and R2
in both W.Ps
Mrs.S.R.Sumathy
Standing Counsel for NHAI for R3
in both W.Ps

COMMON ORDER

These writ petitions have been filed seeking for issuance of a writ of mandamus, directing the first respondent to consider the petitioners' claim petitions filed under Section 3G(5) of the National Highways Act, 1956, on 25.6.2023, 23.1.2024 and 10.1.2024 and to reconsider the Awards dated 15.3.2022, 22.8.2023 and 16.8.2023, respectively and to pay compensation on the proper re-valuation and enhance the compensation in respect of the



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subject properties by following the procedure contemplated under Sections 26 to 30 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and Sections 18 to 27 of the Arbitration and Conciliation Act 1996.

2. The main grievance of the petitioners is that even though they have filed claim petitions on 25.6.2023, 23.1.2024 and 10.1.2024, till date, the first respondent has not taken any action on the said claim petitions.

3. Heard both sides and perused the materials available record.

4. Since these writ petitions are filed for Mandamus simpliciter, to direct the first respondent to consider the claim petitions of the petitioners, this Court, without expressing any view or opinion with regard to the merits of the case, directs the first respondent to consider the claim petitions of the



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petitioners dated 25.6.2023, 23.1.2024 and 10.1.2024 and pass appropriate orders on merits and in accordance with law, after giving due opportunity of hearing to the petitioners 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.

5. With the above directions, these writ petitions are disposed of. Consequently, connected W.M.P.Nos.7008 and 7003 are closed. However, there shall be no order as to costs.

6. W.M.P.No.7000 of 2024 is ordered on payment of separate Court fees by each of the petitioners.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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