



WEB COPY



WP.No.12128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **30.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.12128 of 2024

Ganesan

.. Petitioner

Versus

1. The Arbitrator cum District Collector,
Collectorate Office, Dhamapuri District.
2. The Competent Authority and The Special District
Revenue Officer – Land Acquisition, Highways 844,
[Hosur – Royakottai – Dharmapuri Section,
Dharmapuri District.
3. The Project Director [NH 844],
National Highways Authorities of India,
PIU Krishnagiri, 259/1, Salem Main Road,
Near KAKC Petrol Bunk, Krishnagiri 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 act upon the petitioners claim petition filed under section 3G (5) of the National Highways Act 1956 dated on 13.09.2023 and 6.3.2024 and to reconsider the Awards dated 16.6.2023 and 17.7.2023 and to appoint a competent engineers / officials for assessing the revalue land measuring 55 sq.mtrs comprised in S.



WP.No.12128 of 2024

No 212 / 1212 two temple affixed with tiles and Granite stone and land measuring 1301 sq.mtrs. new S.No 211 / 1C1 land measuring 556 sq.mtrs. comprised in S. No 212 / 11C2 land measuring 97 sq.mtrs comprised in S. No 212 / 12J2 land measuring 250 sq.mtrs comprised in S. No. 212 / 6B Jittandahalli Village Palacode Taluk Dharmapuri district and by following the section 29 said Central Act 2018 and to enhance compensation for land together structure in said acquired land by following the procedure contemplated under the section 26 to 30 SCHEDULE 1 & II Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 [Central Act 30 of 2013] within the time frame to be fixed by and also adducing the evidence following procedures contemplated under section 18 to 27 of the Arbitration and Conciliation Act.

For Petitioner : Mr.R.Ramesh Raja

For Respondents : Mr.S.Arumugham
Government Advocate – R1

Mr.Su.Srinivasan – R2 & R3

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the first respondent to act upon the petitioners claim petition filed under section 3G (5) of the National Highways



WP.No.12128 of 2024

Act 1956 dated on 13.09.2023 and 6.3.2024 and to reconsider the Awards dated 16.6.2023 and 17.7.2023 and to appoint a competent engineers / officials for assessing the revalue land measuring the lands of the petitioner in Jittandahalli Village Palacode Taluk Dharmapuri district and by following the section 29 said Central Act 2018 and to enhance compensation for land together structure in said acquired land by following the procedure contemplated under the section 26 to 30 SCHEDULE 1 & II Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 [Central Act 30 of 2013] within the time frame to be fixed by and also adducing the evidence following procedures contemplated under section 18 to 27 of the Arbitration and Conciliation Act.

3. Heard learned counsel for the petitioner and the learned counsel appearing for the respondents and perused the materials available on record.

4. The case of the petitioner is that the lands of the petitioner has been acquired for laying national highways 844 and compensation has also been awarded. Challenging the same, the petitioner has filed claim petitions before the first respondent as per Section 3G[5] of the National Highways Act 1956 to reconsider the awards dated 16.06.2023 and 17.07.2023 for enhancement of



WP.No.12128 of 2024

compensation. The grievance of the petitioner is that no enquiry has been conducted and the claim petitions are pending without any progress. Hence, the present Writ Petition.

5. Considering the limited relief sought for in this writ petition, there shall be a direction to the first respondent to dispose of the claim petitions filed by the petitioner dated 13.09.2023 and 06.03.2024 for enhancement of compensation and pass Orders on the same in accordance with law within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

30.04.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

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WP.No.12128 of 2024

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WP.No.12128 of 2024

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