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W.P.No.16765 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11..07..2024

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.16765 of 2024

Elgi Ultra Pvt. Ltd.,
rep. By its Authorised Signatory
Balakrishnan B,
Having its registered office at
India House, 1443/1, Trichy Road,
Coimbatore,
Tamil Nadu – 641 018.

..... Petitioner

-Versus-

- 1.Union of India rep. By its
Secretary to Government,
Ministry of Road Transport and Highways,
North Block, New Delhi.
- 2.The District Collector,
Collector's Office,
Gopalapuram, Coimbatore – 641 018.
- 3.Competent Authority and
Special District Revenue Officer (LA),
N.H.47 and 67, First Floor,
No.03, Saveri Muthu Chettiar Street,
Near Om Sakthi Hospital, Red Fields,
Coimbatore – 641 045.



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4. The Project Director,
National Highways Authority,
Coimbatore – 641 045.
(R4 impleaded suo motu vide order
dated 28.06.2024 in W.P.No.16765 of 2024)

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to appoint an Arbitrator under 3G (5) of The National Highways Act, 1956 in connection with the dispute for enhancement of compensation arising out of the proceedings of the third respondent dated 03.05.2011.

For Petitioner(s) : Mr.Sharath Chandran

*For Respondent (s) : Mr.K.Srinivasamurthy,
SPCCG for R1*

*Mr.G.Ameedius,
Government Advocate for R2
& R3*

Mr.Su.Srinivasan for R4

ORDER

This writ petition has been filed seeking a writ in the nature of mandamus directing the 1st respondent to appoint an Arbitrator under 3G (5) of The National Highways Act, 1956 in connection with the dispute for enhancement of compensation arising out of the proceedings of the 3rd respondent dated 03.05.2011.



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2. Heard both sides.

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3. The learned Additional Government Pleader appearing for the respondents 2 and 3 would on instructions, submit that that Arbitrator (District Collector, Coimbatore) is already seized of the matter and hearing is posted on 26.07.2024.

4. Recording the submission made by the learned Additional Government Pleader that already the arbitrator has issued notice, this court directs the arbitrator to afford an opportunity of hearing to the petitioner after taking note of relevant documents to be filed by the petitioner during such enquiry and pass appropriate orders on merits on the application for enhancement of compensation for the land acquired from him and pass appropriate award in accordance with law. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

This writ petition disposed of accordingly with the above directions. No costs.

Index : yes / no
Neutral Citation : yes / no
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N.SATHISH KUMAR.J.,

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