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WP.Nos.21492, 21619 & 21621 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **31.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.Nos.21492, 21619 & 21621 of 2024

Rani	.. Petitioner in W.P.No.21492 of 2024
Seenivasan	.. Petitioner in W.P.No.21619 of 2024
Varadharaj	.. Petitioner in W.P.No.21621 of 2024

Versus

1. The Arbitrator cum District Collector,
O/o.District Collectorate, Krishnagiri, Krishnagiri District.
2. The Competent Authority cum DRO, the Special District Revenue Officer,
National Highway No.84, Kirshnagiri, Krishnagiri District.
.. Respondents in W.P.No.21492 of 2024
1. The Arbitrator cum District Collector,
O/o.District Collectorate, Krishnagiri, Krishnagiri District.
2. The Competent Authority cum DRO, the Special District Revenue Officer,
National Highway No.84, Kirshnagiri, Krishnagiri District.
3. The Special Tahsildar, National Highway No.844,
Krishnagiri, Krishnagiri District.
4. The National Highways Authority of India,
Represented by its Project Director [NH 844],
PIU – Krishnagiri, 259/1, Salem Main Road,
Near KAKC Petrol Bunk, Krishnagiri.
.. Respondents in W.P.No.21619 of 2024



WP.Nos.21492, 21619 & 21621 of 2024

1. The Arbitrator cum District Collector,
O/o.District Collectorate, Krishnagiri, Krishnagiri District.
2. The Competent Authority cum DRO, the Special District Revenue Officer,
National Highway No.84, Kirshnagiri, Krishnagiri District.
3. The Special Tahsildar, National Highway No.844,
Krishnagiri, Krishnagiri District.
4. The National Highways Authority of India,
Represented by its Project Director [NH 844],
PIU – Krishnagiri, 259/1, Salem Main Road,
Near KAKC Petrol Bunk, Krishnagiri.

.. Respondents in W.P.No.21621 of 2024

Prayer in W.P.No.21492 of 2024 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to pass an arbitration award on the appeal/claim petition dated 26.10.2021 within a stipulated period of time by appointing competent engineers/officials for assessing the value of the land comprised in S.Nos.39/2A (New S.No.39/2A1) and 39/4 (New S.No.39/4A) Building (Structure) Borewell Well Trees and Other amenities and land measuring an extent of 230 sq.mtrs in S.No. 39/2A and 1128 Sq.mtrs in S.No.39/4 at Muthanahalli Village Denkanikottai Taluk Krishnagiri District enhance and pay appropriate compensation to the petitioner by reconsidering the ward dated 13.08.2020 by strictly following the procedure contemplated under section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rahabilitation and Resettlement Act 2019 [Central Act 30 of 2013] and refix the compensation as per the provision of the Central Act 30 of 2013 within the time frame to be fixed by this Court and also following the procedures contemplated under Section 18 to 27 of Arbitration and Conciliation Act 1996.

Prayer in W.P.No.21619 of 2024 : Writ Petition filed under Article 226 of the



WP.Nos.21492, 21619 & 21621 of 2024

Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to pass an arbitration award on the appeal/claim petition dated 27.12.2021 within a stipulated period of time by appointing competent engineers/officials for assessing the value of the land comprised in S.Nos.287/4D (New S.No.287/4D2) and 287/4E(New S.No.287/4E2) Building (Structure) Brick Industry Sintex Tank and Raw Materials (Soil and Others) and land measuring an extent of 4580 Sq.mtrs. in S.No.287/4D2 and 1310 Sq.mtrs in S.No.287/4E2 at Pillari Agraharam Village, Denkanikottai Taluk Krishnagiri District enhance and pay appropriate compensation to the petitioner by reconsidering the award dated 18.11.2021 by strictly following the procedure contemplated under contemplated under section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2019 [Central Act 30 of 2013] and refix the compensation as per the provision of the Central Act 30 of 2013 within the time frame to be fixed by this Court and also following the procedures contemplated under Section 18 to 27 of Arbitration and Conciliation Act 1996.

Prayer in W.P.No.21621 of 2024 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.06.2024, by revist and resurvey the overall land acquired in S.No.200/3A situated at Odaiyandahalli Village, Denkanikottai Taluk, Krishnagiri District within the time frame to be fixed by this Court.

For Petitioners : Mr.J.Ramesh [in all WPs.]



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WP.Nos.21492, 21619 & 21621 of 2024

For Respondents : Mr.U.Baranidaran,
Additional Government Pleader – R1 & R2
in W.P.No.21492 of 2024

Mr.U.Baranidaran,
Additional Government Pleader – R1 to R3
in W.P.Nos.21619 & 21621 of 2024

Mr.Su.Srinivasan – R4
in W.P.Nos.21619 & 21621 of 2024

COMMON ORDER

With the consent of both sides, these Writ Petitions are taken up for final disposal at the admission stage itself.

2. The Writ Petitions in W.P.No.21492 & 21621 of 2024 are filed to direct the first respondent to dispose of the appeal filed by the petitioners dated 21.06.10.2021 and 27.12.2021 by appointing competent Engineers/Officials for assessing the value of the land acquired by the Government.

3. The Writ Petition in W.P.No.21619 of 2024 to consider the petitioner's representation dated 21.06.2024 by revisit and resurvey the overall land acquired in S.No.200/3A situated at Odaiyandahalli Village, Denkanikottai Taluk, Krishnagiri District.



WP.Nos.21492, 21619 & 21621 of 2024

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4. Heard learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Standing counsel appearing for the National High Ways and perused the materials available on record.

5. The case of the petitioners is that the lands of the petitioners have been acquired by the Government for laying Four way road Hosur Rayakottai Dharmapuri under N.H.844 project in the year 2018 and notification has also been issued in this regard. Thereafter, the second respondent passed an award fixing very meagre value of the lands acquired from the petitioners. Challenging the same, the petitioners have filed appeals before the first respondent as per Section 3G[5] of the National Highways Act 1956. The grievance of the petitioner is that no enquiry has been conducted and the appeals are pending without any progress. Hence, the present Writ Petition.

6. Considering the limited relief sought for in the writ petitions in W.P.Nos.21492 & 21619 of 2024, there shall be a direction to the first respondent to dispose of the appeals filed by the petitioners dated 26.10.2021 and 27.12.2021 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.



WP.Nos.21492, 21619 & 21621 of 2024

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7. Considering the limited relief sought for in the writ petition in W.P.No.21621 of 2024, there shall be a direction to the respondents consider the representation of the petitioner dated 21.06.2024 and to dispose of the same in accordance with law within a period of two months from the date of receipt of a copy of this order.

8. With the above directions, these writ petitions are disposed of. No costs.

31.07.2024

vrc

Index :Yes/No

Internet :Yes/No

Neutral Citation : Yes/No

To,

1. The Arbitrator cum District Collector,
O/o.District Collectorate, Krishnagiri, Krishnagiri District.
2. The Competent Authority cum DRO, the Special District Revenue Officer,
National Highway No.84, Kirshnagiri, Krishnagiri District.
3. The Special Tahsildar, National Highway No.844,
Krishnagiri, Krishnagiri District.
4. The National Highways Authority of India,

<https://www.mhc.tn.gov.in/judis>



WP.Nos.21492, 21619 & 21621 of 2024

Represented by its Project Director [NH 844],
PIU – Krishnagiri, 259/1, Salem Main Road,
Near KAKC Petrol Bunk, Krishnagriri.

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WP.Nos.21492, 21619 & 21621 of 2024

N. SATHISH KUMAR, J.

VRC

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