



WEB COPY



W.P.No.24090 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.24090 of 2024

Muniraj

... Petitioner

vs.

- 1.The Arbitrator cum District Collector,
Office of the District Collectorate,
Krishnagiri, Krishnagiri District.
- 2.The Competent Authority cum DRO,
Land Acquisition, National Highway No.844,
Krishnagiri, 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

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass an arbitration award on the appeals/claim petitions dated 21.05.2022 and 02.12.2022 within a stipulated period of time, by appointing competent



W.P.No.24090 of 2024

engineers/officials for assessing the value of the land comprised in S.Nos.108/1A and 103/4A, Borewell and Trees and land measuring an extent of 175 Sq. mtrs. in S.No.108/1A, 500 Sq. Mtrs. & 15 Sq. Mtrs. in S.No.103/4A at Karukkanahalli Village, Denkanikottai Taluk, Krishnagiri District, enhance and pay appropriate compensation to the petitioner by reconsidering the award dated 07.12.2021, 28.01.2022, 15.07.2022 and 13.10.2022, by strictly following the procedure contemplated under Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (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 the Arbitration and Conciliation Act, 1996.

For Petitioner	: Mr.J.Ramesh
For R1 to R3	: Mr.A.Selvendran Special Government Pleader
For R4	: Mrs.S.R.Sumathy Standing Counsel

ORDER

The petitioner herein seeks a direction to 1st respondent to pass arbitration award in his claim petitions dated 21.05.2022 and 02.12.2022 within a stipulated time fixed by this Court.

2. According to the petitioner, he is absolute owner of the land



W.P.No.24090 of 2024

measuring an extent of 175 Sq. mtrs., in S.No.108/1A and 39 cents in S.No.103/4A, situated at Karukkanahalli Village, Denkanikottai Taluk, Krishnagiri District. The above said land was acquired by 2nd respondent for the purpose of extension of Hosur – Rayakottai – Dharmapuri – N.H.844. Aggrieved by the quantum of compensation fixed by the 2nd respondent, the petitioner sought for enhancement of compensation and the matter was referred to Arbitral Tribunal for arbitral award by the 1st respondent. Though the claim petition of the petitioner seeking enhancement of compensation dated 21.05.2022 is pending on the file of the 1st respondent. Till date, no order has been passed. Therefore, the petitioner is before this Court.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mrs.S.R.Sumathy, learned Standing Counsel takes notice for the 4th respondent.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the arbitral proceedings will be completed within the time fixed by this Court.

5. It is the duty of the 1st respondent to complete arbitral proceedings



W.P.No.24090 of 2024

within the time limit prescribed in the Arbitration and Conciliation Act, 1996 and he cannot seek arbitral proceedings pending for ever without passing final order. Therefore, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 1st respondent to complete the arbitral proceedings pending on its file in respect of claim made by the petitioner and pass final award on its own merit, within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

22.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



W.P.No.24090 of 2024

To

WEB COPY

- 1.The Arbitrator cum District Collector,
Office of the District Collectorate,
Krishnagiri, Krishnagiri District.
- 2.The Competent Authority cum DRO,
Land Acquisition, National Highway No.844,
Krishnagiri, Krishnagiri District.
- 3.The Special Tahsildar,
National Highway No.844,
Krishnagiri, Krishnagiri District.
- 4.The Project Director (NH 844),
National Highways Authority of India,
PIU – Krishnagiri,
259/1, Salem Main Road,
Near KAKC Petrol Bunk,
Krishnagiri.



WEB COPY



W.P.No.24090 of 2024

S.SOUNTHAR, J.

dm

W.P.No.24090 of 2024

22.08.2024