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W.P.No.23629 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23629 of 2024

Madhanagopal

... Petitioner

VS.

1. The District Collector,
Kancheepuram.

2. The Competent Authority and
Special District Revenue Officer (L.A),
National Highways,
Kancheepuram and Tiruvallur District at
Kancheepuram.

3. The Project Director,
PIU – Kancheepuram,
No.7/16, Govindarajan Street,
Tambaram West, Chennai – 600 045.

... 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 appropriate order filed by the petitioner for the enhancement of compensation in Arbitration Petition dated --.9.2022 within the time as may be fixed by this Court.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.A.Selvendran (for R1 and R2)
Special Government Pleader



W.P.No.23629 of 2024

Mr.Su.Srinivasan, (for R3)
Standing Counsel

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ORDER

The petitioner herein seeks a direction to the 1st respondent to pass appropriate orders on the claim petition filed by the petitioner seeking enhancement of the compensation, by completing the arbitral proceedings initiated in September 2022, within the time limit stipulated by this Court.

2. It is the case of the petitioner that the land belonging to him has been acquired for extension of National Highways-332A and the petitioner made a claim seeking enhancement of the compensation. The matter was referred to the 1st respondent by the competent authority for arbitration. Though the arbitration proceedings were initiated by the 1st respondent as early as September 2022, till date, no final award has been passed. Aggrieved by the same, the petitioner is before this Court.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for respondents 1 and 2 and Mr.Su.Srinivasan, learned Standing Counsel takes notice for the 3rd respondent.



W.P.No.23629 of 2024

4. The learned Special Government Pleader, who is taking notice for 1st respondent would submit that the arbitral proceedings will be completed by the 1st respondent within the time limit stipulated by this Court.

5. It is seen from the averments found in the affidavit, the arbitral proceedings have been initiated as early as September 2022 and no final orders have been passed till date. The 1st respondent is not entitled to keep the arbitral proceedings pending without adhering to the time schedule mentioned under the Arbitration Act.

6. In view of the same, the 1st respondent is directed to complete the arbitral proceedings and pass final orders within a period of six months from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands disposed of. No Costs.

19.08.2024

Index : Yes/No

Speaking order: Yes/No



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Neutral Citation: Yes/No
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