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W.P.No.23917 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23917 of 2024

Govindhappa

... 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 Highways No.844,
Krishnagiri, Krishnagiri District.

3. The Special Tahsildar,
National Highways No.844,
Krishnagiri, Krishnagiri District.

4. The National Highways Authority of India,
Rep. 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 appeal/claim petition dated 15.09.2022 within a



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stipulated period of time, by appointing competent engineers / officials for assessing the value of the land measuring an extent of 1500 Sq. mtrs. in S.No.14/9 at Sanamavu Village, Shoolaignri Taluk, Krishnagiri District and Super Structure – Well, Trees, enhance and pay appropriate compensation to the petitioner by reconsidering the award dated 04.05.2022 and Borewell, Pipelines, Sprinkles, Drip Irrigation pipes Wiring and electrical fittings which were left out in the award passed by the 2nd respondent 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 Respondents : Mr.A.Selvendran (for R1 to R3)
Special Government Pleader
Mrs.S.R.Sumathy (for R4)
Standing Counsel

ORDER

The petitioner herein seeks a direction to the 1st respondent to pass arbitral award on his claim petition dated 15.09.2022 seeking an enhancement of the compensation payable to the petitioner in respect of the petitioner's land in Survey No.14/9 situated at Sanamavu Village, Shoolaignri Taluk, Krishnagiri District, acquired for the purpose of extension of NH-



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2. According to the petitioner, he is the owner of 69 cents in Survey No.14/9 situated at Sanamavu Village, Shoolaignri Taluk, Krishnagiri District. A portion of the said land was acquired by the 2nd respondent for the purpose of laying four-way road-Hosur-Rayakottai-Dharmapuri, under N.H.844. The competent authority viz., the 2nd respondent fixed the compensation and passed an order on 04.05.2022. Not satisfied with the quantum of compensation fixed by the 2nd respondent-competent authority, the petitioner filed a claim petition dated 15.09.2022, seeking enhancement of compensation. The matter was referred to arbitration by the 1st respondent and the claim petition of the petitioner dated 15.09.2022 is pending on the file of the 1st respondent without any orders. Aggrieved by the same, the petitioner is before this Court.

3. Mr.A.Selvendran, learned Special Government Pleader, takes notice for respondents 1 to 3 and Mrs.S.R.Sumathy, learned standing counsel for National Highways, takes notice for 4th respondent.



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4. The learned Special Government Pleader appearing for the 1st respondent would submit that the arbitration proceedings pending on the file of the 1st respondent would be completed within the time limit stipulated by this Court.

5. In view of the same, without going into the merits of the claim petition, this Court is inclined to direct the 1st respondent to complete the arbitral proceedings and pass the final award within a period of six months from the date of receipt of a copy of this order.

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

20.08.2024

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



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S.SOUNTHAR, J.

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