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W.P.No.23920 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.23920 of 2024

Mrs.Chandramma

... 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



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India, to issue a Writ of Mandamus, directing the 1st respondent to pass an arbitration award on the appeal/claim petition dated 21.10.2022 within a stipulated period of time, by appointing competent engineers / officials for assessing the value of the land measuring an extent of 843 Sq. mtrs. in S.No.388/3A and 258 Sq.Mtrs. in 396/2B at Thorapalli Agraharam Village Hosur Taluk, Krishnagiri District and Well, Trees, enhance and pay appropriate compensation to the petitioner by reconsidering the award dated 20.04.2021 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 her claim petition dated 21.10.2022 seeking an enhancement of the compensation payable to the petitioner in respect of the



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petitioner's land in Survey Nos.388/3A and 396/2B situated at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, acquired for the purpose of extension of NH-844.

2. According to the petitioner, she is the owner of 45 cents in Survey No.388/3A and 7.5 cents in Survey No.396/2B situated at Thorapalli Agraharam Village, Hosur 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 20.04.2021. Not satisfied with the quantum of compensation fixed by the 2nd respondent-competent authority, the petitioner filed a claim petition dated 21.10.2022, seeking enhancement of compensation. The matter was referred to arbitration by the 1st respondent and the claim petition of the petitioner dated 21.10.2022 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



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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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