



W.P.Nos.382, 387 and 391 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.382, 387 and 391 of 2024

S.Bakthavatchalam

... Petitioner
in W.P.No.382 of 2024

S.Jayachandran

... Petitioner
in W.P.No.387 of 2024

G.Prashanthi

... Petitioner
in W.P.No.391 of 2024

versus

1.The Arbitrator cum District Collector,
Thiruvallur District,
Thiruvallur.

2.The Competent Authority cum Special District Revenue
Officer (Land Acquisition – National Highway -205),
Lal Bahadur Sastri Street, Periyakulam,
Thiruvallur – 602 001.

3.The Project Director,
National Highways Authority of India,
Project Implementation Unit, Sri Tower, 3rd Floor,
DP-34 (SP), Industrial Estate, Guindy,
Chennai – 600 032.

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4.National Highways Authority of India,
By its Chairman,
G-5 7 6, Sector 10,
Dwarka, New Delhi – 110 075.

5.The Government of India,
By its Secretary to the Government,
Ministry of Road Transport and Highways,
Transport Bhavan, No.1, Parliament Street,
New Delhi – 110 001.

.....Respondents
in all W.Ps

Writ Petitions filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for all the records relating to the impugned order Na.Ka.No.23455/2013/F2 (Arbit) dated 16.05.2023 passed by the first respondent herein, and quash the same and consequently to direct the first respondent herein to grant the petitioners the enhanced compensation of Rs.800/- per square foot as granted in similar cases of lands in the same village of Ayathur in Thiruvallur Taluk and District, and to direct all the respondents herein to consider the petitioners' representation dated 12.07.2023 and to grant the petitioners the solatium and interest thereon in strict adherence to the provisions of the Land Acquisition Act, 1894, (presently the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013) for the petitioners' lands of 500 sq.ft, 709 sq.mtrs. and 2548 sq.mts., respectively which were acquired in the year of 2011 for the formation of the Chennai-Thirupathi National Highway No.205, from the date of



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possession by the National Highways Authority of India, the fourth respondent herein and till the date of disbursement to the petitioners.

For Petitioners : Mr.J.Thilagaraj
in all W.Ps

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader for R1 and R2
in all W.Ps

Mrs.S.R.Sumathy,
Standing Counsel for NHAI
for R3 and R4
in all W.Ps

Mr.K.Ramanamoorthy
Central Government Standing Counsel
for R5
in all W.Ps

COMMON ORDER

Mrs.V.Yamunadevi, learned Special Government Pleader accepts notice for respondents 1 and 2, Mrs.S.R.Sumathy, learned Standing Counsel for NHAI accepts notice for respondents 3 and 4 and Mr.K.Ramanamoorthy, learned Central Government Standing Counsel accepts notice for the fifth respondent. With the consent of both the parties,



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these Writ Petitions are taken up for final disposal at the admission stage itself.

2. These Writ Petitions have been filed challenging the impugned order vide Na.Ka.No.23455/2013/F2 (Arbit), dated 16.05.2023 passed by the first respondent and for consequential directions.

3. Heard both sides and perused the materials available on record.

4. Since the petitioners have already got an efficacious alternative remedy under Section 34 of the Arbitration and Conciliation Act, 1996, they are at liberty to work out their remedy in the manner known to law. Therefore, these Writ Petitions are dismissed. However, there shall be no order as to costs.

10.01.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

- 1.The Arbitrator cum District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Competent Authority cum Special District Revenue
Officer (Land Acquisition – National Highway -205),
Lal Bahadur Sastri Street, Periyakulam,
Thiruvallur – 602 001.
- 3.The Project Director,
National Highways Authority of India,
Project Implementation Unit, Sri Tower, 3rd Floor,
DP-34 (SP), Industrial Estate, Guindy,
Chennai – 600 032.
- 4.The Chairman,
National Highways Authority of India,
G-5 7 6, Sector 10,
Dwarka, New Delhi – 110 075.
- 5.The Secretary to the Government,
The Government of India,
Ministry of Road Transport and Highways,
Transport Bhavan, No.1, Parliament Street,
New Delhi – 110 001.

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WEB COPY



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P.VELMURUGAN, J.

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