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W.P.No.25240 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.No.25240 of 2024

and

WMP.No.27566 of 2024

Rotary Club of Hosur Charitable Trust
Represented by its Chairman P.R.Vasudevan
No.14, Kamala Nivas
TVS Attibele Road
Mathigiri HCF Post
Hosur Taluk 635 110
Krishangiri District.

...Petitioner

Vs.

1.The Arbitrator cum District Collector
Collectorate Office
Krishnagiri District
Krishnagiri.

2.Competent Authority/Special District Revenue Officer-Land
Acquisition
National Highways – 844
Hosur- Royakottai-Dharmapuri Section
Krishangiri.



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3. The Project Director
National Highways Authority of India
PIU-Krishangiri
259/1, Salem Main Road
Near KAKC Petrol Bunk
Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pass appropriate orders on the appeal petition dated 10.08.2024 by revaluation and remeasurment of petitioners superstructure situated in S.No.192/1A2B, to an extent of 1436 sq.meters at Mathigiri Village, Hosur Taluk and to refix the compensation as per the provisions of the Central Act 20 of 2013 within the time frame to be fixed by this Court.

For Petitioner : Mr.S.C.Vishwanth

For Respondents : Mr.A.Selvendran for R1 & R2
Special Government Pleader
Mr.SU.Srinivasan for R3
Standing Counsel



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ORDER

The petitioner herein seeks a direction to the first respondent to pass final orders in claim petition dated 10.08.2024 filed by him seeking revaluation and remeasurement of the petitioner's superstructure situated in the land acquired for extension of National Highways.

2. It is not in dispute that the petitioner's land with an extent of 1436 sq.mts., in S.No.192/1A2B at Mathigiri Village, Hosur Taluk, was acquired for extension of National Highways. The award was already passed by the Competent Authority namely, the second respondent. Aggrieved by the valuation fixed by the second respondent including the superstructure affected by the acquisition proceedings, the petitioner filed a claim petition seeking enhancement of compensation on 10.08.2024 and the same was referred to arbitration by the first respondent. The petitioner also seeks a direction to the first respondent to dispose of the claim petition expeditiously.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 1 & 2 and Mr.SU.Srinivasan, learned Standing



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Counsel takes notice for the third respondent.

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4. Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents 1 & 2 would submit that the final award will be passed in the claim petition filed by the petitioner within the outer limit time fixed under the Arbitration Act.

5. The learned counsel for the petitioner submitted that if the superstructure affected by the land acquisition proceedings is demolished before the consideration of the claim petition filed by the petitioner, the revaluation of the same, may not be possible.

6. In view of the same, without going into the merits of the claim made by the petitioner, the petitioner is directed to file an appropriate application before the first respondent seeking interim relief. If any such application is filed by the petitioner, the same shall be considered and disposed of by the first respondent within a period of two weeks from the date of filing of such application for interim relief. It is needless to say the first respondent shall adhere to the time schedule fixed under the provisions of Arbitration and Conciliation Act and final award shall be passed within a time



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limit fixed by law.

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7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

03.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
dna

To

- 1.The Arbitrator cum District Collector
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Krishnagiri.
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