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W.P.No.25924 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.25924 of 2024

Valliyappan

...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 Highway No.844,
Krishnagiri, Krishnagiri District.
3. The Special Tahsildar,
National Highway No.844,
Krishnagiri, Krishnagiri District.
4. The National Highways Authority of India,
Represented by its Project Director (NH 844),
PIU-Krishnagiri, 259/1, Salem Main Road,
Near KAKC Petrol Bunk, Krishnagiri.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to pass an arbitration award on my appeal/claim petition dated 12.04.2022 within a stipulated period of time, by appointing competent engineers/officials for



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assessing the value of the lands measuring an extent of 177 sq.Mtrs. In S.No.53/5, 815 Sq.Mtrs. in S.No.54/2 and 450 Sq.Mtrs. in S.No.172/3 at Odayandahalli Village, Denkanikottai Taluk, Krishnagiri District and Super Structure - Two Storied House with RCC Roof, Shelter (G1) CM Flooring, BW Compound Wall, barbed Wire Fencing and Septic Tank, 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 also following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act 1996.

For Petitioner	: Mr.Valliyappan
For R1 to R3	: Mr.A.Selvendran Special Government Pleader
For R4	: Mr.Su.Srinivasan, Standing Counsel

ORDER

The petitioner herein seeks a direction to the first respondent to pass an arbitration award on the petitioner's appeal dated 12.04.2022 within the specific period of time fixed by this Court.

2. According to the petitioner, the property situated at



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Odayandahalli Village, Denkanikottai Taluk, Krishnagiri district, measuring an

extent of 177sq.mtrs, in S.No.53/5, 815 Sq.Mtrs in s.No.54/2 and 450 Sq.Mtrs.

in S.No.172/3 were acquired by the second respondent for the purpose of laying four -way Road - Hosur - Rayakottai - Dharmapuri under N.H.844 project. The competent authority /second respondent fixed the quantum of compensation and the petitioner not satisfied with the quantum of compensation, filed a claim petition dated 12.04.2022, seeking enhancement of compensation and the same has been referred to arbitration before the first respondent. Though the claim petition has been filed on 12.04.2024, no final order has been passed by the first respondent. Hence the petitioner is before this court.

3. Mr.A.Selvendran, learned Special Government Pleader, who takes notice for the respondents 1 to 3 submitted that the claim petition will be considered on merits within the time fixed by this Court.

4. The first respondent is expected to adhere to the time schedule mentioned in Arbitration and Conciliation Act and he is not expected to keep arbitral proceedings pending without any progress.

5. In view of the same, this Court is inclined to issue a direction to the first respondent to consider the petitioner's claim petition dated



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12.04.2022 and pass final orders, within a period of six months from the date of receipt of a copy of this order.

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

09.09.2024

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

1. The Commissioner of Land Administrative Department,
Land Administrative Department,
2nd Floor, Ezhilagam,
Chennai - 600 005.
2. The Chief Secretary /
Commissioner Tamilnadu Government Land Reform,
Ezhilagam, Chennai - 600 005.
3. The District Collector,
District Collector Office,
Thiruvallur, Thiruvallur District.
4. The District Revenue Officer,
District Revenue Office,



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Thiruvallur, Thiruvallur District.

5. The Revenue Divisional Officer,
Revenue Divisional Office,
Ponneri, Thiruvallur District.

6. The Tahsildar,
Ponneri,
Thiruvallur District.



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S. SOUNTHAR, J.

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