



W.P.No.27018 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.09.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.27018 of 2024
and W.M.P.No.29534 of 2024

1.Ragavendran

2.Munireddy

3.Venkateshreddy

4.Saraswathiamma

5.Ravi

6.Uma

7.Chandrashekar

... Petitioners

VS.

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

2.Competent Authority and Special District
Revenue office (Land Acquisition),
National highways 948A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur, Krishnagiri District.



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3. The Project Director (NG 948)

National Highways Authority of India

PIU – Bangaluru

Sy.No.13, 14th km Nagasandra Tumkur NH4 Road

Bangaluru – 560073

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and act upon the petitioner's claim petition filed under section 3G(5) of the National Highways act 1956, dated 30.09.2023 and to reconsider the Award dated 19.05.2023 and to direct the authorities to pay the compensation for 558 eucalyptus trees in S.No.112/1B, and 1000 eucalyptus, 2 Tamarind trees, 2 Ashoka tree, 2 other trees, 2 neem trees, poogai trees, 200 sapota trees and other structure available in 14893 Sq.mtrs, in S.No.105/2, S.No.112/1A2, S.No.112/1B2, S.No.112/1C2 and land measuring 12782 Sq. mtrs comprised in S.No.108/1B, S.No.108/2B, Alasapalli Village, Hosur Taluk, Krishnagiri District and to appoint the competent engineer to revalue the above said trees and other structures comprised in the above said survey No. and to enhance the compensation for the land together with trees and other structures and amenities etc., mentioned in the award which is comprised in the above said survey No's. In Alsapalli Village, Hosur Taluk, Krishnagiri District, and pay the compensation for their future lose by following the procedure contemplated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and grant adequate opportunity to the petitioner by furnishing copies of last three years sale statistics in respect of the locality and revenue village in which the petitioner's land is situated



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obtained from the Registration Department and allowing the petitioner to peruse all records and filing written submissions and re-fix the compensation as per the provision of Schedule I and II and Section 26(1) a & b of the Central Act 30 of 2013 within the time frame to be fixed by and also following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act.

For Petitioners : Mr.G.Somasekar

For R1 and R2 : Mr.P.Sathish
Additional Government Pleader

For R3 : Mr.Su.Srinivasan
Standing Counsel

ORDER

The petitioners herein seek a direction to the respondents to consider their claim petition dated 30.09.2023 seeking enhancement of the compensation in respect of their lands acquired by the respondents for extension of National Highways.

2. It is the case of the petitioners that their land measuring an extent of 14893 Sq.mtrs, in S.No.105/2, S.No.112/1A2, S.No.112/1B2, S.No.112/1C2 and land measuring an extent of 12782 Sq, mtrs comprised in S.No.108/1B, S.No.108/2B situated in Alasapalli Village, Hosur Taluk,



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Krishnagiri District, together with trees were acquired for extension of National Highways and the 2nd respondent determined the compensation by passing an award on 19.05.2023. Not satisfied with the quantum of compensation fixed by the 2nd respondent, the petitioners filed a claim petition before the 1st respondent/Arbitrator on 30.09.2023 and the same is pending on his file without any progress.

3. Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents 1 and 2 and Mr.Su.Srinivasan, learned Standing Counsel takes notice for the 3rd respondent.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the arbitral proceedings will be completed within the time fixed by this Court.

5. It is the duty of the 1st respondent to complete arbitral proceedings within the time limit prescribed under the Arbitration and Conciliation Act, 1996 and he cannot keep the arbitral proceedings pending for ever without passing final award. Therefore, without going into the merits of the claim



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made by the petitioners, this Court is inclined to direct the 1st respondent to complete the arbitral proceedings pending on his file in respect of claim made by the petitioners and pass final award on its own merit, within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

12.09.2024

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

dm

To

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Revenue office (Land Acquisition),
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