



WEB COPY



W.P.No.27761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P.No.27761 of 2024

P.Jayaraman @ Pulipaadu Jayaraman

... Petitioner

Vs.

1. The Arbitrator & District Collector,
Thiruvallur,
Thiruvallur District.
2. The Project Director,
National Highways Authority of India,
Project Implementation Unit,
Chennai.
SRI Tower, 3rd Floor, DP-34(SP),
Industrial Estate, Guindy, Chennai 600 032.
3. The Competent Authority Cum
Special District Revenue Officer,
(Land Acquisition),
National Highways 205,
No.3 & 4, Lal Bagadhur Sasthiri Street,
Periya Kuppam, Railway Station,
(Near) Thulasi Theatre,
Thiruvallur-602 001.
4. The Special Thasildar (Land Acquisition),
National Highways – 205,
Thiruvallur, Thiruvallur District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant the enhanced award compensation in respect of Survey No.153/15B for an extent of 1231 SQMT Gulur Village, Tiruttani Taluk, Thiruvallur District, as per petitioner's appeal dated 24.08.2023 and 22.07.2024.

For Petitioner : Mr.C.Venkatesan

For Respondents 1,3 & 4 : Mr.A.Selvendran,
Special Government Pleader

For 2nd Respondent : Mrs.S.R.Sumathy

ORDER

This Writ Petition is filed for a mandamus to issue a direction to grant the enhanced award compensation in respect of Survey No.153/15B for an extent of 1231 SQMT Gulur Village, Tiruttani Taluk, Thiruvallur District, as per the petitioner's appeal dated 24.08.2023 and 22.07.2024.

2. Heard the learned counsels on either side.



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3. An acquisition has been initiated under the provisions of the National Highways Act and the compensation has been determined under Section 3(G) of the said Act. The order awarding compensation is akin to an award as the provisions of the Arbitration and conciliation Act is applicable to the proceedings under the National Highways Act. Therefore, the remedy available is only to file an application as contemplated under provisions of the National Highways Act and the Writ Petition seeking enhancement is not maintainable. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

05.11.2024

srn
To

1. The Arbitrator & District Collector,
Thiruvallur,
Thiruvallur District.
2. The Project Director,
National Highways Authority of India,
Project Implementation Unit,
Chennai.
SRI Tower, 3rd Floor, DP-34(SP),
Industrial Estate, Guindy, Chennai 600 032.



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3. The Competent Authority Cum
Special District Revenue Officer,
(Land Acquisition),
National Highways 205,
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Periya Kuppam, Railway Station,
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P.T.ASHA.J

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