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W.P.No.28643 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.28643 of 2024

G.Vasudevan

...Petitioner

Vs.

1. The Arbitrator cum District Collector,
Collectorate Office,
Dharmapuri District.
2. Competent Authority &
Special District Revenue Officer - Land Acquisition,
National highways - 844
(Hosur - Royakottai - Dharmapuri Section),
Dharmapuri District.
3. The Project Director (NH 844)
National highways Authority of India,
PIU-Krishnagiri,
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 first respondent to pass appropriate orders on the claim petition dated 28.02.2024 made by the petitioner, to reconsider the Award dated 21.01.2021 and to enhance the



W.P.No.28643 of 2024

compensation in respect of 200 mango trees and land comprised in land measuring 2800 Sq.mtrs comprised in S.No.358/2A2, land measuring 3450 sq.mtrs comprised in S.Nos. 359/1A2, land measuring 1100 sq.mtrs comprised in S.No.359/1E2, land measuring 720 sq.mtrs comprised in S.Nos.62/2B1B by following the procedure contemplated under the Section 26 to 30 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013/0 and to pay the compensation for future loss of income and to conduct proper enquiry and pay the compensation for well measuring 50 x 50 feet width, 50 feet depth and other structures and amenities etc., comprised in the above said S.Nos. and to adduce the evidence by following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act 1996.

For Petitioner	: Mr.R.Rameshraj
For R1 & R2	: Mr.P.Sathish Additional Government Pleader
For R3	: Mrs.S.R.Sumathi Standing Counsel

ORDER

The petitioner herein seeks a direction to 1st respondent to pass arbitration award in his claim petition dated 28.02.2024 within a stipulated time fixed by this Court.



W.P.No.28643 of 2024

2. According to the petitioner, the property situated at Jakkasamuthiram Village, Palacode Taluk, Dharmapuri District, measuring an extent of 2800sq.mtrs in S.No.358/2A2, 3450 sq.mtrs in S.No.359/1A2, 1100 sq.mtrs in S.No.359/1E2, 720 sq.mtrs in S.No.62/2B1B 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 28.02.2024, seeking enhancement of compensation and the same has been referred to arbitration before the first respondent. Though the claim petition has been filed on 28.02.2024, no final order has been passed by the first respondent. Hence the petitioner is before this court.

3. Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents 1 & 2 and Mrs.S.R.Sumathy, learned Standing Counsel takes notice for the third respondent.

4. The learned Additional Government Pleader appearing for the respondents 1 & 2 submitted that the claim petition will be considered on merits within the time fixed by this Court.



W.P.No.28643 of 2024

WEB COPY

5. 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.

6. 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 28.02.2024 and pass final orders, within a period of six months from the date of receipt of a copy of this order.

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

26.09.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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W.P.No.28643 of 2024

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W.P.No.28643 of 2024

S. SOUNTHAR, J.

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