



W.P.No.30135 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.30135 of 2024

S.R.Subangani

...Petitioner

Vs.

1.National Highways Authority of India,
Rep. by its Project Director,
Regional Office – Chennai,
5th Floor, CMRL Building,
Poonamallee High Road, Koyambedu.

2.The District Collector/Arbitrator,
Tiruvallur
Master Plan Complex NH 205,
Chennai – Tiruttani Hwy,
Thiruvallur, Tamil Nadu 602 001.

3.The Competent Authority &
Special District Revenue Officer (Land Acquisition),
National Highways, Kancheepuram District,
Collectorate,
Kancheepuram District 631 501.

...Respondents



W.P.No.30135 of 2024

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to dispose of the petitioner's application dated 05.06.2023 sent by registered post received by the second respondent on 06.06.2023 for enhanced compensation under section 3G(5) of the National Highways Act 1956 as amended within time frame for the lands acquired in Survey Nos. 106B/1A2 and 112/1A1 measuring 664 sq.mtrs or 7147.24 sq.ft. at Karanodai Village, Ponneri Taluk, Tiruvallur District.

For Petitioner : Mr.David Tyagaraj

For Respondents : Mrs.S.R.Sumathy, for R1
Standing Counsel
: Mr.A.Selvendran for R2 & R3
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to dispose of his application dated 05.06.2023 received by the second respondent on 06.06.2023 seeking enhancement of compensation under Section 3 (G) (5) of the National Highways Act, in respect of the lands acquired from the petitioner situated in S.Nos.106B/1A2 and 112/1A1 at Karanodai Village,



W.P.No.30135 of 2024

Ponneri Taluk, Tiruvallur District.

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2. It is the case of the petitioner that the above mentioned lands were acquired from the petitioner by the respondents and the third respondent fixed compensation by passing award. The copy of the award passed by the third respondent was received by the petitioner only on 29.09.2021. Thereafter, he submitted instant application seeking enhancement of compensation before the second respondent on 05.06.2023 and the same has been pending with the second respondent without any progress. Therefore, the petitioner has come by way of this Writ Petition.

3. Mrs.S.R.Sumathy, learned Standing Counsel takes notice for the first respondent and Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents 2 & 3.

4. The learned Special Government Pleader appearing for the respondents 2 & 3 would submit that the arbitral proceedings will be completed within the time fixed by this Court.



W.P.No.30135 of 2024

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5. It is the duty of the 2nd respondent to complete the 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 made by the petitioner, this Court is inclined to direct the second respondent to complete the arbitral proceedings pending on his file in respect of claim made by the petitioner 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.

18.10.2024

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



W.P.No.30135 of 2024

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To

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W.P.No.30135 of 2024

S.SOUNTHAR, J.
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W.P No.30135 of 2024

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