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W.P.No.30435 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.30435 of 2024

S.Poovarasu

... Petitioner

VS.

1.The District Collector,
Dharmapuri District,
District Collectorate,
Dharmapuri – 636 705.

2.Special District Revenue Officer – Land Acquisition
National Highways – 844,
(Hosur – Royakottai – Dharmapuri Section),
Dharmapuri.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent authority to consider the claim petition dated 13.07.2023 and reminder dated 13.12.2023 seeking enhancement of compensation for the petitioner's land comprised in S.No.498/2F2 and S.No.498/2G, covered in patta Nos.465 and 2838 in Virupatchipram Village, Dharmapuri Taluk and District by setting aside the Award dated 25.04.2023 and determine the land value by considering the sale value of petitioner's property, guideline value and sales statistics data from the Registration Department as mandated by the provisions of Section 26 to 30 of the Central Act 30 of 2013 (RFCTLARR



W.P.No.30435 of 2024

Act 2013) and by giving copies of documents and due opportunity for hearing to the petitioner in the enquiry and pass an award.

For Petitioner : Mr.S.Thannka Sivan

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

ORDER

The petitioner herein seeks a direction to 1st respondent to pass arbitration award in his claim petitions dated 13.07.2023 and 13.12.2023 within a stipulated time fixed by this Court.

2. According to the petitioner, he is absolute owner of the lands measuring 576 sq.ft (53.51 sq.mtr) in S.No.498/2F2 and 400 sq.ft (37.16 sq.mtr) in S.No.498/G situated at Virupatchpuram Village, Dharmapuri Taluk and District.

3. The above said lands were acquired by the 2nd respondent for the purpose of expansion of already existing National Highway 844.



W.P.No.30435 of 2024

Aggrieved by the quantum of compensation fixed by the 2nd respondent, the petitioner sought for enhancement of compensation and the matter was referred to arbitration by 1st respondent. Though the claim petitions of the petitioner seeking enhancement of compensation dated 13.07.2023 and 13.12.2023 are pending on the file of the 1st respondent, till date, no order has been passed. Therefore, the petitioner is before this Court.

4. Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondents 1 and 2.

5. 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.

6. 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 made by the petitioner, this Court is inclined to direct the



W.P.No.30435 of 2024

1st 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.

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

17.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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W.P.No.30435 of 2024

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S.SOUNTHAR, J.

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