



W.P.No.34112 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.34112 of 2022

G. Sheela

... Petitioner

Vs.

1. The District Collector
Krishnagiri District.
2. The Competent Authority and
Special District Revenue officer - Land Acquisition,
National Highways 844,
Krishnagiri District.
3. The Project Director (NH-844)
National Highway Authority of India,
Krishnagiri.
4. The Special Tahsildar
Land Acquisitions (NH-844),
Krishnagiri District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioners application dated 09.11.2022 under Section 3G (5) of the National Highways Act to pass appropriate orders by appointing a competent engineers / officials for assessing the value of all structures and trees and give fair compensation for the lands acquired in survey No. 23 / A4B for an extent of 539 Sq. m situated at T. Gollahalli village Denkanikottai (TK) Krishnagiri District within a reasonable time on merits.

For Petitioner : Mr.Krishnaswamy Chinnasamy

For R1, R2 & R4 : Mrs. V.Yamunadevi,
Special Government Pleader

For R3 : Mr.Su.Srinivasan

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the first respondent to consider the petitioners' application dated 09.11.2022 under Section 3G (5) of the National Highways Act to pass appropriate orders by appointing a competent Engineers / Officials



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for assessing the value of all structures and trees and give fair compensation for the lands acquired in survey No. 23 / A4B for an extent of 539 Sq. m situated at T. Gollahalli village Denkanikottai (TK) Krishnagiri District within a reasonable time on merits.

2. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the third respondent and the learned Special Government Pleader appearing for the respondents 1, 2 and 4.

3. It is the contention of the petitioner that the respondents issued notification to acquire his lands for the extension of National Highways-844 and determined the compensation also. On 30.09.2022, the respondents reduced the compensation amount without stating proper reason and issued order for land acquisition and moreover, the respondents have not paid the entire compensation. Challenging the fixation of compensation, the petitioner has filed an application (Arbitration petition under Section 3G(5) of National Highways Act –



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before the first respondent to re-value and to re-fix a fair compensation.

4. The Writ petition is the of year 2022. Having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's application/arbitration petition dated 09.11.2022, after giving notice to the petitioner, Acquisition Body/ Authorised Officer/ Competent Officer/Special Officer as the case may be and hear them and dispose of the appeal/application/arbitration petition, as the case may be, in the manner known to law, and pass orders in accordance with law, if the first respondent has already not disposed of the arbitration application.

5. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

23.01.2024

mfa

Index: Yes/No

Speaking Order: Yes/No



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Neutral Citation: Yes/No
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To

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2. The competent Authority and
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National Highways 844,
Krishnagiri District.
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P.VELMURUGAN, J.

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