



W.P.No.34091 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 34091 of 2024

Chinnaraj

...Petitioner

Vs.

1.The Arbitrator Cum District Collector
Office of the District Collectorate,
Krishnagiri, Krishnagiri District.

2.The Competent Authority cum DRO,
Land Acquisition, National Highway No. 844,
Krishnagiri,
Krishnagiri District.

3.The National Highways Authority of India
Represented by its Project Director (NH 844)
PIU - Krishnagiri 259/1,
Salem Main Road, Near KAKC Petrol Bunk
Krishnagiri.

..Respondents



W.P.No.34091 of 2022

WEB COPY

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 1st respondent to pass an arbitration award on the petitioner's appeal / claim petition dated 20.06.2022 within a stipulated period of time, by appointing competent engineers / officials for assessing the value of the land measuring an extent of 2191 sq. mtrs, in S.No 109/1 (New S. No 109/1B) at Karukkanahalli Village, Denkanikottai Taluk, Krishnagiri District and structure - Brick Industry with two sheds, water tank, raw materials, barbed wire fencing and septic tank and well is left out in the award passed by the 2nd respondent, by strictly following the procedure contemplated under Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and also following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act 1996.



W.P.No.34091 of 2022

For Petitioner : Mr. J.Ramesh
For Respondents : Mr. P.Sathish
1 & 2 Additional Government Pleader
For Respondent 3: Ms. S.R.Sumathy

ORDER

Aggrieved by the compensation granted for the lands of the petitioner acquired for the purpose of laying four way road, Hosur – Rayakottai – Dharmaputi, the petitioner had filed the claim petition before the 1st respondent on 20.06.2022. However, to date the claim petition has not been taken up for consideration and aggrieved by the same, the petitioner is before this Court.

2. Heard the learned counsels on the either side and perused the records.

3. It is an admitted fact that the petitioner's lands have been



W.P.No.34091 of 2024

acquired and the petitioner has filed a claim petition seeking enhanced compensation. However, for the past 2 years the petitioner's claim petitioner has not been taken up for hearing by the 1st respondent. The 1st respondent is a statutory authority appointed under the Act as an Arbitrator to consider the petitions arising in respect of enhanced compensation. The 1st respondent has failed to dispose of the same and has also not even issued any notice of enquiry.

4. Therefore, a mandamus is issued directing the 1st respondent to dispose of the claim petition filed by petitioner, within a period of 2 months, from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is allowed. No costs.

22.11.2024

Index : Yes/No
Internet : Yes/No
kan



WEB COPY



W.P.No.34091 of 2027

To

1.The Arbitrator Cum District Collector
Office of the District Collectorate,
Krishnagiri, Krishnagiri District.

2.The Competent Authority cum DRO,
Land Acquisition, National Highway No. 844,
Krishnagiri,
Krishnagiri District.

3.The National Highways Authority of India
Represented by its Project Director (NH 844)
PIU - Krishnagiri 259/1,
Salem Main Road, Near KAKC Petrol Bunk
Krishnagiri.



WEB COPY



W.P.No.34091 of 2024

P.T. ASHA. J,

kan

W.P.No. 34091 of 2024

22.11.2024