



W.P.No.36675 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 36675 of 2024

Mujibullahkhan

...Petitioner

Vs.

1.The Arbitrator Cum District Collector
Office of the District Collectorate,
Krishnagiri District - 635 001.

2.The Competent Authority Cum District revenue Officer
Land Acquisition, National Highway No.844,
Krishnagiri District.

3.The Special Tahsildar,
Land Acquisition, National Highway no.844,
Krishnagiri District.

4.The National Highways Authority of India,
Rep. By its Project Director (NH 844)
PIU- Krishnagiri,
259/1, Salem main road,
Near KAKC Petrol Bunk,
Krishnagiri District

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 1st respondent herein to pass an arbitration award on petitioner's appeal / claim petition dated 30.07.2024 filed under section 3G(5) of the National Highways Act, 1956, by appointing competent officials for assessing the value of trees and petitioner lands admeasuring an extent of 416 sq.mtr in survey No.209/1g1 and an extent of 402 sq.mtrs in survey No.208/3b situated in Mathigiri village, Hosur Taluk, Krishnagiri District, enhance and pay appropriate compensation to petitioner by reconsidering the award dated September, 2023 having Ref. No.Na.Ka. 1318/2023/E1 passed by the 2nd respondent, in accordance with the procedure contemplated under Section 26-30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and re-fix the compensation as per the Central Act 30 of 2013 within a time frame to be stipulated by this Court and also by following the procedures contemplated under Section 18-27 of the Arbitration and Conciliation Act, 1996.



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For Petitioner : Mr. R.Bharath Kumar

For Respondents : Mr. M.R.Gokul Krishnan
1 to 3 Additional Government Pleader.

For Respondent 4: Mrs. S.R.Sumathy
Standing Counsel.

ORDER

The limited relief claimed by the petitioner in this Writ Petition is for a direction to the 1st respondent to pass an award on the petitioner's claim petition filed under Section 3 G (5) of the National Highways Act, 1956, dated 30.07.2024, by following the procedures contemplated under the Arbitration and Conciliation Act, 1996.

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



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3. It is an admitted fact that the claim petition is now pending before the 1st respondent and the same has not been taken up for enquiry. Therefore, the Writ Petition is allowed. A mandamus is issued to the 1st respondent to dispose of the claim petition dated 30.07.2024, within a period of 4 months from the date of receipt of a copy of this order. No costs.

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Index : Yes/No
Internet : Yes/No
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To

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P.T. ASHA, J.



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