



WEB COPY



W.P.No.37466 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :10.12.2024

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37466 of 2024

Mr.Murugesh

... 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

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 1st respondent to pass an arbitration award on the petitioner's appeal/claim petition



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dated 02.12.2022 within a stipulated period of time, by appointing competent engineers/officials for assessing the value of the land measuring an extent of 245 Sq.Mtrs., in S.No.108/1A (S.No.108/1A2-14) at Karukkanahalli Village, Denkanikkottai Taluk, Krishnagiri District by strictly following the procedure contemplated under Sections 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 Sections 18 to 27 of the Arbitration and Conciliation Act 1996.

For Petitioner : Mr.J.Ramesh
For Respondents 1 and 2 : Mr.A.Selvendran
Special Government Pleader
For 3rd Respondent : Mr.SU.Srinivasan

ORDER

This Writ Petition is filed for a Mandamus, to direct the 1st respondent to pass an arbitration award on the petitioner's appeal/claim petition dated 02.12.2022 within a stipulated period of time, by appointing competent engineers/officials for assessing the value of the land measuring an extent of 245 Sq.Mtrs., in S.No.108/1A (S.No.108/1A2-14) at Karukkanahalli Village, Denkanikkottai Taluk,



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Krishnagiri District by strictly following the procedure contemplated under Sections 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 Sections 18 to 27 of the Arbitration and Conciliation Act 1996.

2. The limited request that has been made in the above writ petition to expedite the hearing of the petitioner's claim petition dated 02.12.2022 and to pass orders.

3. Heard the learned counsels on either side.

4. The petitioner's contention is that the 2nd respondent had passed a very meagre award, which is challenged by the petitioner by filing appeal before the 1st respondent on 02.12.2022.



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5. Though two years have passed, neither an enquiry has been held nor orders passed by the 1st respondent. Therefore, considering the above, this writ petition is allowed with a mandamus to the 1st respondent to consider the petitioner's appeal dated 02.12.2022 and pass orders within a period of two months from the date of receipt of a copy of this order. No costs.

10.12.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

ssn

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 Project Director (NH 844),
National Highways Authority of India,

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P.T.ASHA, J.,

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