



W.A.(MD).No.1456 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD).No.1456 of 2024
and
C.M.P.(MD)No.11360 of 2024**

M.Rajangam

... Appellant

-vs-

1.The Competent Authority cum,
Special District Revenue Officer,
National Highways 227 (Land Acquisition),
Collector Office Old Building, 2nd Floor,
Tiruchirapalli.

2.National Highways Authority of India,
Rep. By its Project Director,
Tiruchirapalli – Chidambaram NH 227,
Villupuram District.

3.District Collector cum,
Arbitrator of National Highways,
O/o Collectorate,
Tiruchirapalli.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against
the order passed by this Court in W.P.(MD)No.4003 of 2023, dated
05.07.2024.



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For Appellants : Mr.S.Ramanathan
For Respondents 1 & 3 : Mr.P.T.Thiraviyam
Government Advocate

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Mr.P.T.Thiraviyam, learned Government Advocate takes notice for the respondents 1 and 3. Notice to the 2nd respondent is deemed unnecessary. By consent, this Writ Appeal is taken up for final disposal at the admission stage itself.

2.Challenge to the award granting compensation under the provisions of the National Highway Act, 1956, was rebuked by the Writ Court, has led to this Appeal.

3.The National Highways Act, 1956, provides an elaborate procedure for determination of compensation and the Arbitration and Conciliation Act, 1996, has been made applicable to the proceedings where the award is questioned. No doubt, the appellant had on earlier occasion, availed of that remedy and the award was set aside under Section 34, directing the authority to re-determine the compensation. As against the said re-determination, the Writ Petition was filed. Once there is an alternative remedy available under the statute, we do not think we can entertain the Writ Petition under Article 226 of Constitution of India. The Writ Court has



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refused to entertain the Writ Petition on the sole ground that alternative remedy is available.

4.Hence, we do not see any reason to interfere with the order of the learned Single Judge. The Writ Appeal fails and it is accordingly, dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

27.08.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Mrn/Sml

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L.VICTORIA GOWRI, J.

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