



W.P.(MD) No.22039 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22039 of 2016

and

W.M.P.(MD) No.15741 of 2016

Arulmigu Urumankulam Pannirupidi Ayyan
Medical Educational and Charitable Trust,
Through its Managing Trustee,
R.Panneerselvam,
S/o.Late. Sri Ramavelu Chettiar,
43, Sarangapani Street,
T.Nagar, Chennai-17.

.. Petitioner

Vs.

- 1.The District Collector,
Tirunelveli District.
- 2.The Special District Revenue Officer
(Land Acquisition National Highways),
Tirunelveli.
- 3.The Project Director,
National Highways Authority of India,
PIU, Kanniyakumari.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Certiorarified Mandamus, to call for the



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records of the 1st respondent in his proceedings Na.Ka.J2/61924/2015 dated 23.09.2016 and quash the same and consequently direct the 1st respondent to determine the compensation on the basis of the Document No.823 of 2003 and Document No.2306 of 2005.

For Petitioner : Mr.S.Bala Ganesh

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition is filed for the following relief:

“... to call for the records of the 1st respondent in his proceedings Na.Ka.J2/61924/2015 dated 23.09.2016 and quash the same and consequently directing the 1st respondent to determine the compensation on the basis of the document No.823 of 2003 and Document No.2306 of 2005 ...”

2. The proceedings in respect of which the petitioner is aggrieved is a proceedings initiated under the National Highways Act, 1956. The scheme of the National Highways Act contemplates the application of the provisions of the Arbitration and Conciliation Act, 1996 to the awards passed by the District Collector.



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3. For the above reason, this writ petition is not maintainable, as the remedy available to the petitioner is only to follow the procedure provided under the Arbitration and Conciliation Act. The petitioner can very well move the jurisdictional Court under the Arbitration and Conciliation Act for appropriate relief.

4. In the result, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

29.10.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

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P.T.ASHA, J

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