



WEB COPY



W.P.No.2759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2759 of 2025

Sekar

...Petitioner

Vs.

1. The Arbitrator cum-District Collector,
Collectorate Office,
Krishnagiri District.
2. Competent Authority &
Special District Revenue Officer - (Land Acquisition
National Highways 7,46,47,66&844)
Krishnagiri District.
3. The Project Director (NH 844)
National Highways Authority of India,
PIU-Krishnagiri
259/1, Salem Main Road,
Near KAKC Petrol Bunk
Krishnagiri District.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 1st respondent to act upon the petitioner's claim petition filed under Section 3G(5) of the National Highways Act 1956, dated 04.07.2023 and to conduct proper arbitration proceeding as



W.P.No.2759 of 2023

per the Arbitration & Conciliation Act 1996 and to reconsider the Awards dated 02.08.2021 & 10.01.2022 and direct the 1st respondent to dispose the petitioner's claim petition to enhance the compensation for well measuring 50x50 width and 50 depth other amenities and trees comprised in S.No.1156/2A2 and S.No.1156/2C Uthanapalli Vilage, Sulagiri Taluk, Krishnagiri District and compensation in respect of the petitioner's acquired land along with structures by following the procedure contemplated under the Section 26 to 30 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) within the time stipulated by this Court.

For Petitioner : Mr.R.Ramesh Raja

For R1&R2 : Mr.A.Selvendran,
Special Government Pleader

For R3 : Ms.S.Sumathy,
Standing Counsel

ORDER

The petitioner has filed a claim petition under Section 3G(5) of the National Highways Act 1956, dated 04.07.2023 before the first respondent. Aggrieved by the fact that the arbitration proceedings is yet to be commenced, the petitioner is before this Court.



W.P.No.2759 of 2023

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

3. The property of the petitioner has already been taken possession and his request for enhanced compensation is yet to be considered though the award has been passed as early as in the year 2021, the claim petition seeking compensation has been kept pending since in the year 2023. The first respondent who is the authority constitute under the Act to consider the said application has not discharged his duties.

4. Therefore, a mandamus is issued to the first respondent to dispose of the petitioner's claim petition dated 04.07.2023 within a period of two months from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is allowed.

No costs.

30.01.2025

nvi

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



W.P.No.2759 of 2023

WEB COPY
To

1. The Arbitrator cum-District Collector,
Collectorate Office,
Krishnagiri District.
2. Competent Authority &
Special District Revenue Officer - (Land Acquisition
National Highways 7,46,47,66&844)
Krishnagiri District.
3. The Project Director (NH 844)
National Highways Authority of India,
PIU-Krishnagiri
259/1, Salem Main Road,
Near KAKC Petrol Bunk
Krishnagiri District.



WEB COPY



W.P.No.2759 of 2025

P.T. ASHA, J,

nvi

W.P.No. 2759 of 2025



WEB COPY



W.P.No.2759 of 2023

30.01.2025