



W.P.No.9202 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 28.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9202 of 2025

1.R.Durairaj

2.R.Krishnamurthy

.. Petitioners

Vs.

1.The Arbitrator Cum District Collector,
District Collectorate, Cuddalore.

2.The Competent Authority (Cum)
Special District Revenue Officer,
(Land Acquisition),
National high way 45 & 227,
Cuddalore.

3.The General Manager (Technical),
Rep. by its Project Director,
National Highway (A) & 227,
No.28 & 29, 1st cross street, Ganapathy Nagar,
Arumparthapuram,
Puducherry – 605 110.

4.The Special Tahsildar (Land Acquisition),
National Highways – 45 – A, Unit I,
64, Seetharam Nagar 3rd Cross,
Pudupalayam,
Cuddalore – 607 001.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose the Arbitration Petition pending on his file by considering the petitioners representation dated 13.12.2024 and the sale deeds dated 25.01.2016 and 18.08.2016 in the light of Hon'ble Supreme Court judgment in Horrmal (Deceased) through his LR's V. State of Haryana & Ors. [Civil Appeal No.011758 of 2024 arising out of SLP (C) No.7963 of 2023], on 21st October, 2024.

For Petitioners	:	Mr.V.Neethidurai
For RR 1, 2 & 4	:	Mr.A.Selvendran Special Government Pleader
For R3	:	Mrs.S.R.Sumathy Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 1st respondent to dispose of the petition filed by the petitioners under Section 3G(5) of the National Highways Act based on the sale deeds dated 25.01.2016 and 18.08.2016 and the judgment relied upon by the petitioners within a time frame fixed by this Court.

2.Heard the learned counsel for the petitioners, learned Special Government Pleader for respondents 1, 2 & 4 and the learned Standing



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Counsel for the 3rd respondent.

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3.The petitioners are aggrieved by the quantum of compensation that was fixed by the competent authority namely the 2nd respondent. Hence, they have filed an arbitration petition before the 1st respondent seeking for enhancement of compensation. While doing so, the petitioners also relied upon the judgment of the Hon'ble Supreme Court and the grievance of the petitioners is that till date, no orders have been passed in the petition filed by them under Section 3G(5) of the National Highways Act. It is under these circumstances, the present writ petition came to be filed before this Court.

4.Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the 1st respondent to deal with the petition filed by the petitioners under Section 3G(5) of the National Highways Act after affording opportunity to the petitioners and the National Highways Department. The 1st respondent shall also take note of the judgment that is being relied upon by the petitioners while seeking for enhancement of compensation.



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5.Final orders shall be passed within a period of twelve (12) weeks from the date of receipt of a copy of this order on its own merits and in accordance with law.

6.In the result, this Writ Petition is disposed of with the above directions. No costs.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

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N.ANAND VENKATESH, J.

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