



WEB COPY



W.P.No.39868 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2025

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.No.39868 of 2024
and W.M.P.No.43195 of 2024

V.S.Periyaswamy

...Petitioner

Vs.

1.The Arbitrator cum-District Collector,
Collectorate Office,
Krishnagiri District.

2.Competent Authority and
Special District Revenue Officer (LA),
National Highways 948A, STRR,
Thenkanikotai Road,
Arul Vajaram Complex Dinnur,
Hosur, Krishnagiri District.

3.The Special Tahsildar (Land Administration)
National Highways No.948A, STRR,
Unit I, Hosur,
Krishnagiri District.

4.The Project Director (NH 948),
National Highways Authority of India,
PIU – Bengaluru,
Sy.No.13, 14th Km Nagasandra Tumkur NH4 Road,
Bengaluru – 560 073.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to



W.P.No.39868 of 2023

issue a Writ of Mandamus to direct the 1st respondent to act upon the petitioner's claim petition filed under Section 3G(5) of the National Highways Act, 1956, dated 15.09.2023 and 09.08.2024 to reconsider the Award dated 27.07.2023 and to call for enquiry on petitioner claim petition to enhance the compensation in respect of land measuring 1870 sq.mtrs, in S.No.758/2B1 and land measuring 50 sq.mtrs in S.No.759/3, Moranapalli Village, Hosur Taluk, Krishnagiri District along with structures and amenities etc., by following the procedure contemplated under the Sections 26 to 30 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and adduce the evidence by following Sections 18 to 27 of the Arbitration & Conciliation Act 1996.

For Petitioners : Mr.R.Rameshraj

For Respondent : Mr.M.R.Gopal Krishnan for R1 to R3
Additional Government Pleader

ORDER

Aggrieved by the fact that the claim petition filed by the petitioner before the first respondent under Section 3G(5) of the National Highways Act, 1956 on 15.09.2023 and on 09.08.2024.

2.The petitioner's land measuring an extent of 1870 sq.mtrs. in S.No.758/2B1 and land measuring 50 sq.mtrs. in S.No.759/3, Moranapalli village, Hosur Taluk, Krishnagiri District was notified to be acquired for the



W.P.No.39868 of 2023

purpose of laying National Highways 948A (Satellite Town Ring Road for Bangalore (West) extending to Hosur). Despite objections submitted by the petitioner and claiming a market value of Rs.45,000/- per sq.mtrs. for the lands as it is situated within Housur Corporation and is located in an area where there are several Companies, Hospitals and Import an Export Units etc.

3.However, the Special District Revenue Officer, the second respondent passed an award dated 27.07.2023 for compensation in respect of land measuring an extent of 1870 sq.mtrs in S.No.758/2B1 and land measuring 50 sq.mtr. in S.No.759/3 at Rs.267.35 per sq.mtr and the Authorities classified the land as dry Maanavari lands Type I. Since the award is very meagre, the petitioner filed a claim petition before the first respondent, the Arbitrator cum District Collector under Section 3G(5) of the National Highways Act, 1956. The first respondent has not taken up the said claim petition for enquiry. The petitioner is before this Court.

4.Considering the limited prayer sought for by the petitioner and

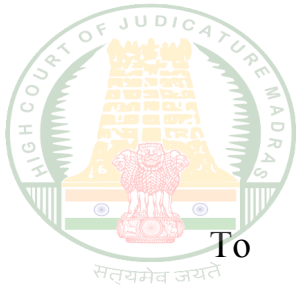


W.P.No.39868 of 2024

taking into the fact that the first respondent is yet to act upon the petitioner claim, a mandamus is issued to the first respondent to consider and pass orders on the claim petition filed by the petitioner under Section 3G(5) of the National Highways Act, 1956 dated 15.09.2023 and 09.08.2024 within a period of 3 months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

06.01.2025

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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W.P.No.39868 of 2022

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W.P.No.39868 of 2024

P.T.ASHA, J.

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W.P.No.39868 of 2024

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