



WEB COPY



W.P.No.38908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.38908 of 2024

T.Muniraj

.... Petitioner

Vs

1.The Arbitrator Cum District Collector,
Collectorate Office,
Krishnagiri District.

2. Competent Authority/
Special District Revenue Officer - Land Acquisition
National Highways -844
(Hosur Royakottai Dharmapuri Section),
Krishnagiri District.

3.The Project Director (NH 948),
National Highways Authority of India
PIU – Bangaluru,
Sy.No.13,14th Km Nagasandra Tumkur NH 4 Road,
Bangaluru 560073.

.... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to pass an arbitration award on the petitioner's appeal claim petition dated 04.07.2023 within a stipulated period of time and to reconsider



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the Awards dated 30.06.2022 and to enhance the compensation in respect of land and structures in land measuring 5778 sq.mtrs. comprised in S.No.577/1B, situated at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, 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) and also following the procedure contemplated under Section 18 to 27 of the Arbitration and Conciliation Act 1996.

For Petitioner	:	Mr.R.Rameshraj
For R1 & R2	:	Mr.M.R.Gokul Krishnan Additional Government Pleader
For R3	:	Mr.Su.Srinivasan Standing Counsel

ORDER

The petitioner has come to this Court seeking a writ of mandamus to direct the first respondent to dispose of his claim petition dated 04.07.2023, challenging the award dated 30.06.2022 passed by the second respondent, within a specified time frame.

2. It is the case of the petitioner that his land, comprised in survey No.577/1B measuring 590 sq.ft. at Thorapalli Agraharam



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Village, Hosur Taluk, Krishnagiri District, had been acquired by the authorities without paying proper compensation. He would submit that the land had been used for cultivating carrot, beetroot, cabbage, cauliflower and other vegetables and also had three coconut trees, 5 Nilgiri trees, as well as two borewells - one 1000 feet deep and the other 750 feet deep along with a PVC pipeline.

3. Though the petitioner had raised objections to the notification for acquiring the land, the same was rejected and the land was acquired. The petitioner would submit that the second respondent had passed an award without duly considering the nature of the property, its usufructs thereon and its location.

4. Challenging the said award, the petitioner had filed a claim petition before the first respondent on 04.07.2023. Though over a year and a half has passed, the first respondent has not taken up the claim petition for enquiry. Aggrieved by this, the petitioner has moved this Court.



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5. Considering the request and taking note of the facts of the case, a mandamus is issued to the first respondent to dispose of the petitioner's claim petition filed on 04.07.2023, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is allowed. No costs.

03.01.2025

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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To

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P.T. ASHA, J,

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