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W.P.No.1179 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1179 of 2025

Saroja

...Petitioner

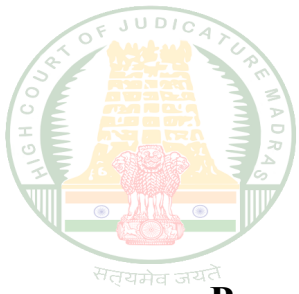
Vs.

1.The Arbitrator cum District Collector
Office of the District Collectorate,
Krishnagiri, Krishnagiri District

2.The Competent Authority cum DRO
Land Acquisition National Highway No.844,
Krishnagiri,
Krishnagiri District

3.The National Highways Authority of India
Rep by its Project Director (NH 844)
PIU - Krishnagiri,
259/1, Salem Main Road,
Near kake Petrol Bunk,
Krishnagiri

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the 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 21.7.2022 within a stipulated period of time, by appointing competent engineers/officials for assessing the value of the lands measuring an extent of 32 sq.mtrs, in S.no.25/3b14 and 100 sq.mtrs. in s.no.25/3b16 at Karukkanahalli Village, Denkanikottai Taluk, Krishnagiri District and structure Moulded house and other amenities, by strictly following the procedure contemplated under Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and also following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act, 1996.

For Petitioner	:	Mr. J.Ramesh
For Respondents	:	Mr. P.Sathish
1 & 2		Additional Government Pleader.
For Respondent 3:		Mr. Su.Srinivasan
		Standing counsel.



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ORDER

The Writ Petition is filed for the following relief:

“To direct the 1st respondent to pass an arbitration award on the petitioner's appeal /claim petition dated 21.7.2022 within a stipulated period of time, by appointing competent engineers/officials for assessing the value of the lands measuring an extent of 32 sq.mtrs, in S.no.25/3b14 and 100 sq.mtrs. in s.no.25/3b16 at Karukkanahalli Village, Denkanikottai Taluk, Krishnagiri District and structure Moulded house and other amenities, by strictly following the procedure contemplated under Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and also following the procedures contemplated under Section 18 to 27 of the Arbitration and Conciliation Act, 1996.

2. The petitioner is the absolute owner of the subject property.

All the revenue records stood in her name. The petitioner would



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submit that the 2nd respondent acquired her property, for the purpose of laying Four way road, Hosur – Rayakottai – Dharmapuri, under NH 844 project, in the year 2018, for which the 2nd respondent passed an award on 20.05.2022.

3. The petitioner would submit that since the award amount fixed was very meagre, she preferred an appeal before the 1st respondent on 21.07.2022. However, to date the appeal has not been considered by the 1st respondent. Therefore, the petitioner is before this Court.

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

5. It is an admitted fact that the petitioner's lands have been acquired and the petitioner has filed a claim petition seeking enhanced compensation. However, the petitioner's claim petition has not been taken up for hearing by the 1st respondent. The 1st respondent is a statutory authority appointed under the Act as an Arbitrator to consider



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the petitions arising in respect of enhanced compensation. The 1st respondent has failed to dispose of the same.

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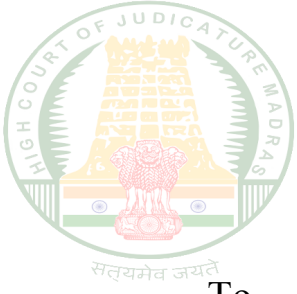
6. Therefore, a mandamus is issued directing the 1st respondent to dispose of the appeal / claim petition filed by petitioner, within a period of 3 months, from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is allowed. No costs.

22.01.2025

Index : Yes/No
Internet : Yes/No

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