



WP.No.1014 of 2025

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In the High Court of Judicature at Madras

Dated : 20.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1014 of 2025

Mr.Ramachandran

Vs

...Petitioner

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

2.The Competent Authority-cum-
District Revenue Officer, 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 KAKC Petrol
Bunk, Krishnagiri.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to pass an arbitration award on the appeal/claim petition dated 05.3.2023 within a stipulated period of time by appointing competent engineers/officials for assessing the value of the land measuring an extent of 7,350 Sq.Mtrs. in S.No.24 (New S. No 24/1) at Muthanahalli



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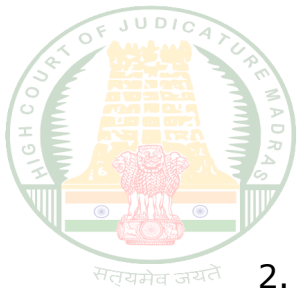
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Village, Denkanikottai Taluk, Krishnagiri District structure - building and other amenities and trees by strictly following the procedure contemplated under Sections 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Central Act 30 of 2013) and also following the procedure contemplated under Sections 18 to 27 of the Arbitration and Conciliation Act, 1996.

For Petitioner	:	Mr.J.Ramesh
For R1 & R2	:	Mr.A.Selvendran, SGP
For R3	:	Ms.S.R.Sumathy, Standing Counsel

ORDER

Seeking a direction to the first respondent to consider the claim petition dated 05.3.2023 in respect of the property measuring 7,350 Sq.Mtrs. in S.No.24 (New S. No 24/1) at Muthanahalli Village, Denkanikottai Taluk, Krishnagiri District with structure - building, other amenities and trees by strictly following the procedure contemplated under Sections 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 procedure contemplated under Sections 18 to 27 of the Arbitration and Conciliation Act, 1996, the petitioner is before this Court.

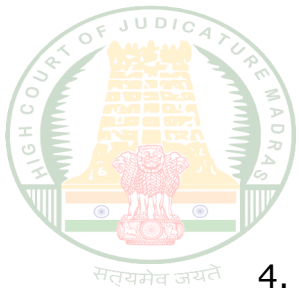


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2. Heard the learned counsel for the petitioner, the learned Special Government Pleader accepting notice for respondents 1 and 2 and the learned Standing Counsel accepting notice for the third respondent.

3. The case of the petitioner is as follows :

The petitioner's father was the absolute owner of the lands measuring acre 8.11 cents at Muthanahalli Village, Denkanikottai Taluk, Krishnagiri District. A joint patta was also issued in favour of the petitioner's parents in patta No.655. The second respondent sought to acquire the land measuring 7,350 sq.meters in S.No.24 with structure - building, other amenities and trees by issuing a Notification dated 25.6.2019 and called for objections. The petitioner's mother gave objections. The petitioner's father predeceased his mother. The petitioner's mother died on 23.3.2023 leaving behind the petitioner, his two brothers and two sisters as surviving legal heirs. Further, the second respondent passed the award dated 11.11.2021. Not satisfied with the award passed by the second respondent, the petitioner's mother filed a claim petition dated 05.3.2023 before the first respondent under Section 3G(5) of the National Highways Act. As the same has not yet been considered, the petitioner has come forward with this writ petition for himself and on behalf of his siblings.



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4. In the considered view of this Court, the first respondent kept the claim petition filed by the petitioner's mother pending without passing any orders for nearly two years. This would suffice to direct the first respondent to consider the said claim petition and pass orders within a time frame.

5. Considering the facts and circumstances of the case, the writ petition is allowed and a Mandamus is issued to the first respondent to consider the claim petition of the petitioner's mother dated 05.3.2023 on merits and pass appropriate orders in accordance with law within a period of one month from the date of receipt of a copy of this order. No costs.

20.1.2025

To

- 1.The Arbitrator-cum-District Collector,
Office of the District Collectorate,
Krishnagiri, Krishnagiri District.
- 2.The Competent Authority-cum-
District Revenue Officer, Land
Acquisition, National Highway
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