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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2025

CORAM:

THE HON'BLE MR. JUSTICE S.SOUNTHAR

W.P.(MD).No.16670 of 2025

O.Muthu ... Petitioner

Vs.

1. The District Collector/Appellate Authority (L.A.),
   Collectorate Campus,
   Sivagangai – 630 562.

2. The Competent Authority / District Revenue Officer (LA),
   National Highways,
   Pudukottai.

3. The Special Tahsildar (LA),
   Karaikudi Melur Highway of 383,
   Periyar Nagar,
   Tirupattur – 630 311. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent herein to hear and dispose of the appeal filed by the petitioner on 01.12.2020 for an enhancement of award for the land acquired against Award No.13/2018-2019 dated 30.10.2019 followed by an additional Award No.13/2018-2019 dated 10.08.2020 with respect to R.S.No.184, to an extent of 830 Sq.mtrs and other infra structures in Kunnakudi Village, Tiruppattur Taluk, Sivagangai District on merits of market value.

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For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.D.S.Neduchezian
Government Advocate

ORDER

The writ petition has been filed seeking direction to the 1st respondent to hear and dispose of the arbitral proceedings pending on the file of the 1st respondent pertains to the petitioner's application seeking enhancement of compensation in respect of the property acquired for expansion of national highways in R.S.No.184 at Kunnakudi Village, Tiruppattur Taluk, Sivagangai District.

2. Heard the learned counsel appearing for the petitioner and Mr.D.S.Neduchezian, learned Government Advocate who takes notice for the respondents.

3. By consent of both the parties, the writ petition is taken up for final disposal at the stage of admission itself.

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4. It is not in dispute that 830 sq.meters of the petitioner's property situated in the above mentioned Village was acquired for expansion of National Highways. The 2nd respondent passed an Award on 30.10.2019 and Additional Award on 10.08.2020 fixing compensation.

5. Not satisfied with the quantum of compensation, the petitioner filed an application before the 1st respondent seeking enhancement of compensation. The application submitted by the petitioner has been considered by the 1st respondent under Section 3G(5) of the National Highways Act, 1956, however, till date no order has been passed. Aggrieved by the same, the petitioner has come before this Court.

6. Mr.D.S.Nedunchezian, learned Government Advocate who takes notice for the respondents would submit that the arbitral proceedings initiated by the 1st respondent will be completed within the time stipulated by this Court.

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7. A perusal of the information furnished to the petitioner from the Public Information Officer of the 1st respondent in his proceedings in நக.சி1/3019/2021 dated 23.09.2024 would indicate the final hearing in the arbitral proceedings was over as early as 18.01.2023 and the 1st respondent is awaiting report from Project Director.

8. In these circumstances, without expressing any opinion on the merits of the matter, the 1st respondent is directed to complete the arbitral proceedings and pass final orders on its own merits and in accordance with law within a period of four (4) months from the date of receipt of a copy of this order.

9. The writ petition is disposed of with the above observations. No costs.

20.06.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

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