



W.P(MD)NO.17192 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :25.06.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.17192 of 2025

and

W.M.P(MD)No.13062 of 2025

M.Rajangam

... Petitioner

.Vs.

1.The Competent Authority cum
Special District Revenue Officer,
National Highways 227(Land Acquisition),
Collector Office Old Building, Second Floor,
Tiruchirappalli – 001.

2.The National Highways Authorities of India,
represented by its Project Director,
Tiruchirappalli -Chidambaram NH 227,
Vilupurm, Vilupuram District.

3.The District Collector cum Arbitrator of
National Highways,
Office of Collectorate,
Periamilaguparai,
Tiruchirappalli -001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to set aside the order and calling for the records relating to the impugned



W.P(MD)NO.17192 of 2025

order passed by the third respondent in Na.Ka.C4/41280/2024, dtd 11.12.2024 and consequently to direct the respondents to pass a fresh award under the Right to Fair Compensation and Transparency in land Acquisition Rehabilitation and Resettlement Act, 2013(Central Act No. 30 of 2013).

For Petitioner : Mr.K.Rajendran

For Respondents : Mrs.K.Malathi
1 and 3 Addl.Govt.Pleader

For Respondent-2 : Mr.P.Karthick

ORDER

The Writ Petition is filed challenging the award passed by the third respondent under Section 3G(5) of the National Highways Act.

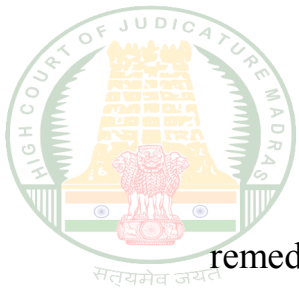
2.Mrs.KMalathi, learned Additional Government Pleader takes notice for the respondents 1 and 3 and Mr.P.Karthick, learned counsel takes notice for the second respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.It is seen from the typed-set of papers that earlier, the third respondent passed an award rejecting the request of the Petitioner



W.P(MD)NO.17192 of 2025

seeking enhancement of compensation. The said order was challenged by the Petitioner by filing an Arbitration O.P under Section 34 of the Arbitration Act in O.P.No.28/2020, on the file of concerned Principal District Court. The said O.P was allowed and the matter was remanded back to the file of the first respondent. Subsequently, the first respondent passed an award fixing the compensation payable. The said award passed by first respondent was questioned by the Petitioner in W.P(MD)No.4003 of 2023. This Court refused to entertain the said Writ Petition and directed the Petitioner to avail the remedy under Section 3-G(5) of the National Highways Act. Thereafter, the Petitioner filed an application before the third respondent. The same was considered and an arbitration award was passed negating the request made by the Petitioner for enhancement of compensation. The impugned order is only an award passed by the third respondent following the provisions of the Arbitration Act r/w Section 3G(5) of the National Highways Act. Against the award passed under the Arbitration Act, the Petitioner has to file an application under Section 34 of Arbitration Act seeking to set aside the award before the Arbitration Court, namely, the Principal District Court. In the present case, instead of availing the alternative



W.P(MD)NO.17192 of 2025

remedy under the provisions of the Arbitration Act, the Petitioner has filed the present Writ Petition.

4.In view of the availability of an alternative remedy, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

25.06.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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and

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