



W.P.(MD) No.26229 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.06.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) No.26229 of 2022

S.Yasothai

... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Dindigul - 624 004.
 2. The Special District Revenue Officer
(Land Acquisition),
Office of Special Revenue Officer,
National Highways Authority of India,
No.567, APJ Abdul Kalam Street,
Chennamanaickampatty, Collectorate Post,
Dindigul – 624 004.
 3. The Chairman,
National Highways Authority of India,
G5 and 6 Sector - 10, Dwarka,
New Delhi - 110 075.
 4. The Project Director,
NH-07 and 209 Project Implementation Unit,
National Highways Authority of India,
Chennamanaickampatty, Collectorate Post,
Dindigul - 624 004.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, relating to the petitioner's representation to respondents 1 to 4 dated 21.09.2022.



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W.P.(MD) No.26229 of 2022

For Petitioner : Mr.B.Mohamad Kalibullah
For Respondents : Mr.D.S.Nedunchezian,
Govt. Advocate for R1 & R2
Mr.P.Karthick,
Standing Counsel for R3 & R4

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 to 4 to consider the petitioner's representation dated 21.09.2022 and pass final orders.

2. Heard the arguments of Mr.M.Mohamad Kalibullah, learned counsel for the petitioner, Mr.D.S.Nedunchezian, learned Government Advocate appearing for the respondents 1 and 2 and Mr.P.Karthick, learned Standing Counsel, appearing for the respondents 3 and 4.

3. It is the case of the petitioner that she is the owner of the agricultural land in S.No.94/3. The respondents acquired 970 sq.mts of the land belonged to the petitioner for the purpose of laying National Highway under the provisions of 'the National Highways Act, 1956' (hereinafter referred to as 'the NH Act, 1956'). The second



W.P.(MD) No.26229 of 2022

respondent determined the compensation payable to the petitioner at Rs.12,22,718/-. Not satisfied with the quantum of compensation, the petitioner submitted a representation before the respondents on 21.09.2022, seeking enhancement of the compensation. The said representation has not been considered by the respondents. Hence, the petitioner has come before this Court.

4. Under Section 3-G(5) of the NH Act, 1956, if the land owner is not satisfied with the quantum of compensation determined by the competent authority, it is for him to file an application under Section 3-G(5) of the NH Act, 1956 and the same shall be determined by the arbitrator to be appointed by the Central Government. It is not in dispute that there is a general notification by the Central Government appointing District Collector of the respective District as Arbitrator to go into the application filed under Section 3-G(5) of the NH Act, 1956.

5. In view of the same, the petitioner already submitted a representation before the first respondent on 21.09.2022. Therefore, the first respondent is directed to consider the representation of the petitioner dated 21.09.2022, in the light of Section 3-G(5) of the NH Act, 1956 and



W.P.(MD) No.26229 of 2022

complete the arbitration proceedings as expeditiously as possible and pass final orders, preferably, within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

11.06.2025

vsm

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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S.SOUNTHAR, J.

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W.P (MD) No.26229 of 2022

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